



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD.

CIVIL APPLICATION NO.14965 OF 2022
IN FAST/484/2020

Narayan Hullappa Khandekar (Died)
Thr LRs Sakhubai and Ors

....Applicants

Versus

The State of Maharashtra,
Through District Collector, Nanded and Others

.....Respondents

.....

Shri. Kiran M. Nagarkar, Advocate for the Applicants

Shri. R. B. Dhaware, AGP for Respondents No.1 & 2

Shri. G. S. Khaire h/f. Shri. S. S. Dande, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 18, 2025

PER COURT :-

1. This is the Application for condonation of 1058 days delay in preferring this Application for bringing on record the legal heirs / representatives of Appellant No.5 – Umaji Masnaji Khandekar.

2. Heard the learned Advocate for the Applicants, the learned AGP for Respondents No.1 and 2 and the learned Advocate for the Acquiring Body / Respondent No.3.

3. It is submitted by learned Advocate for the Applicants that sufficient reasons are shown in the Application which prevented the Applicants from preferring the Application for bringing on record the

legal heirs of Appellant No.5 – Umaji Masnaji Khandekar within the stipulated time and hence the Application be allowed.

4. The learned AGP for Respondents No.1 and 2 and learned Advocate for Respondent No.3 opposed the Application.

5. Perused the Application along with the documents annexed therewith. The Appellant No.5, who was the Original Claimant No.5, died during pendency of the Appeal on 30.07.2019. The copy of Death Certificate is enclosed with the Application. The copy of the Heirship Certificate issued by the concerned Gram Panchayat shows the legal heirs of the said Deceased - Appellant. The legal heirs shown are the Wife, three (3) Sons and one (1) Daughter.

6. In view of the above and for the reasons mentioned in paragraph no.4 of the Application, the Application is allowed in terms of prayer clauses 'B' and 'C'. Civil Application stands disposed off accordingly.

7. The Applicants / Appellants shall file Heirship Certificate issued by the Competent Court, before the Appeal is finally heard.

(NEERAJ P. DHOTE, J.)

GGP