



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

11 FIRST APPEAL NO. 364 OF 2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR

VERSUS

RAMESH ANNARAO SHELKE AND ORS

...

Mr. B. R. Survase, Advocate for Appellants

Mr. N. R. Dayma, AGP for Respondents-State

Mr. Shrikant Sonkawade, Advocate for Respondents/Acquiring body

WITH

CIVIL APPLICATION NO. 14556 OF 2023

IN FA/361/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR

VERSUS

DNYANOBA SOPAN BAWCHE AND ANR

WITH

CIVIL APPLICATION NO. 14554 OF 2023

IN FA/362/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR

VERSUS

ANUSAYABAI NIVARTI BIRADAR THR HER POWER OF ATTORNEY HOLDER
SHAKUNTALABAI ABHANGRAO BIRADAR

WITH

CIVIL APPLICATION NO. 14552 OF 2023

IN FA/363/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER

GMIDC, AURANGABAD AND ANR
VERSUS
SHAKUNTALABAI ABHANGRAO BIRADAR AND ORS

WITH
CIVIL APPLICATION NO. 14562 OF 2023
IN FA/357/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR
VERSUS
DADARAO YESBA PAWAR AND ORS

WITH
CIVIL APPLICATION NO. 14560 OF 2023
IN FA/359/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR
VERSUS
HAVGI VISHWANATH MAHAJAN DIED THR LRS PARVATIBAI HAVGI
MAHAJAN AND ORS

WITH
CIVIL APPLICATION NO. 14548 OF 2023
IN FA/358/2024

THE EX. ENGINEER NOW L.M.I.D. LATUR UNDER GMIDC, AURANGABAD
AND ANR
VERSUS
MOHAN NIVARTI BIRADAR AND ORS

WITH
CIVIL APPLICATION NO. 14558 OF 2023
IN FA/360/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR

VERSUS
GANPATI PANDURANG ARADHYE AND ORS

WITH
CIVIL APPLICATION NO. 12874 OF 2024
IN FA/364/2024

RAMESH ANNARAO SHELKE DIED THROUGH LRS BALIKABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH DISTRICT COLLECTOR, LATUR
AND ANR

...

Mr. Shrikant Sonkawade, Advocate for Applicants
Mr. N. R. Dayma, AGP for Respondents-State
Mr. B. R. Survase, Advocate for Respondent-acquiring body

WITH
CIVIL APPLICATION NO. 14550 OF 2023
IN FA/364/2024

THE EX. ENGINEER MEDIUM PROJECT NOW L.M.I.D. LATUR UNDER
GMIDC, AURANGABAD AND ANR

VERSUS
RAMESH ANNARAO SHELKE AND ORS

WITH
CIVIL APPLICATION NO. 12872 OF 2024
IN FA/360/2024

SHRIPATI PANDURANG ARADHYE AND ANR

VERSUS
THE EX ENGINEER MINOR IRRIGATION DEPARTMENT AND ANR

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Mr. Shrikant Sonkawade, Advocate for Applicants
Mr. N. R. Dayma, AGP for Respondents-State
Mr. B. R. Survase, Advocate for Respondent-acquiring body

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CORAM : SHAILESH P. BRAHME, J.

DATE : 12.11.2025

PER COURT :-

CIVIL APPLICATION NO. 12874 OF 2024

1. Applicants seek to condone the delay of 1718 days in setting aside abatement and in bringing the legal heirs of deceased respondent no.1 (original claimant)-Ramesh s/o Annarao Shelke on record.
2. The cause of action survives against the legal heirs of the original claimant. The acquiring body should have file this appeal. It is desirable to condone the delay. First Appeal needs to be decided finally.
3. Civil Application is allowed in terms of prayer clause "B" and "C".
4. Civil Application is disposed of.

CIVIL APPLICATION NO. 12872 OF 2024

1. Applicants seek to condone the delay of 1712 days in setting aside abatement and in bringing the legal heirs of deceased respondent no.4 on record.
2. The cause of action survives against the legal heirs of respondent no.4. The acquiring body should have file this appeal. It is desirable to condone the delay. First Appeal needs to be decided finally.

3. Civil Application is allowed in terms of prayer clause “B” and “C”.
4. Civil Application is disposed of.

FIRST APPEALS

1. **Admit.**
2. Mr. Shrikant Sonkawade, learned counsel waives notice for the respondents/claimants.
3. Call for Record and Proceeding. Print is dispensed with.

**CIVIL APPLICATION NO. 14550 OF 2023
CIVIL APPLICATION NO. 14558 OF 2023
CIVIL APPLICATION NO. 14548 OF 2023
CIVIL APPLICATION NO. 14560 OF 2023
CIVIL APPLICATION NO. 14556 OF 2023
CIVIL APPLICATION NO. 14554 OF 2023
CIVIL APPLICATION NO. 14552 OF 2023
CIVIL APPLICATION NO. 14562 OF 2023**

1. As the entire amount in all the appeals is deposited before the Reference Court with accrued interest, *ad-interim* relief granted earlier shall stand confirmed.
2. Civil Applications are disposed of.

(SHAILESH P. BRAHME, J.)