



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

**CIVIL APPLICATION NO. 11155 OF 2025
IN FA/2090/2024**

Narayan Shankar Nil

VERSUS

The Executive Engineer (irrigation), Zilla Parishad,
Aurangabad

...

Mr. R. S. Kasar, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondents-State

.....

CORAM : AJIT B. KADETHANKAR.

DATED : 08TH OCTOBER, 2025

ORDER :-

. Feeling aggrieved by the judgment and award dated 13.02.2012, passed by the learned 2nd Joint Civil Judge, Senior Division, Aurangabad in Land Acquisition Reference No.158 of 2004, the Acquiring Body has filed this First Appeal.

2. Pursuant to the orders passed by this Court, the claimant has caused his appearance.

3. Mr. R. S. Kasar, learned Advocate for the applicant would submit that during the pendency of this appeal while it was on stamp number, the original claimant namely Narayan Shankar Nil died on 13.10.2021. The present applicants submit that they are the legal representatives of deceased

Narayan Shankar Nil. The applicants submit that right and interest of the deceased claimant Narayan Nil is devolved into them as they are the legal representatives of the deceased Narayan.

4. Mr. R. S. Kasar, learned Advocate would submit that due to unawareness of the legal proceedings pending in this Court, the applicants were not aware of the procedure to be undertaken to implead themselves in the First Appeal.

5. Mr. R. S. Kasar submits that the Civil Application be treated as an intimation/notice under Order 27, Rule 10A of the Civil Procedure Code and the appellant be directed to amend the title clause of appeal memo as well as applications therein by incorporating the names of the applicants in the capacity of deceased claimant Narayan Shankar Nil.

6. Mr. S. V. Hange, learned AGP would express his no objection to allow this application.

7. In view of this, I pass following order:

ORDER

- a. Civil Application stands allowed.
- b. Delay of 1208 days caused in filing the present Civil Application stands condoned.

- c. Appellant to amend the title clause of the First Appeal as well as applications therein, thereby incorporating the names of present applicants i.e. 1-A, 1-B, 1-C-1, 1-C-2 and 1-C-3 as the legal representatives of deceased Narayan Shankar Nil.
- d. Let this exercise be carried out within four weeks from today.
- e. Civil Application stands disposed of.

(AJIT B. KADETHANKAR, J.)