



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

CIVIL APPLICATION NO. 10955 OF 2025
IN FA/437/2016

Madhukar Daulatrao Shinde (died),
Thr Lrs. Mudrika Madhukar Shinde and ors.
VERSUS

The State Of Maharashtra, Through Its Collector, Latur And Ors

Mr. S.J.Sonkawade, Advocate for applicants
Mr.S.V.Hange, AGP for respondents no.1 and 2

CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 06, 2025

ORDER :-

Heard Mr.Sonkawade, learned counsel for the applicants
and Mr.Dande, learned AGP for respondents – State.

2. Learned counsel for the applicants would submit that during the pendency of the First Appeal, the claimant – Madhukar Shinde died on 04.04.2023. He submits that the right to receive the compensation as also interest of the deceased – claimant is survived by the present applicant nos.1A to 1C in the capacity of his legal representatives. Learned counsel would submit that this application may be treated as a notice under Order 22 Rule 10-A of the Code of Civil Procedure and the appellant – acquiring body may be directed to amend the title clause of the First Appeal as well as the application

therein, thereby incorporating the names of the present applicants as legal representatives of deceased - Taterao. He submits that there is delay of 598 days in filing this application, which is caused as the applicants were unaware of the pendency of this legal proceedings. He prays to condone the delay in the interest of justice.

3. Mr.Dande, learned AGP places his no-objection to allow the application.

4. In view of the above above, I pass the following order:-

(i) Delay of 598 days caused in filing the application is condoned. Abatement, if any, stands quashed and set aside.

(ii) The appellant - acquiring body to amend the title clause of the First Appeal as also the applications filed therein, thereby incorporating the names of present applicants as legal representatives of deceased Madhukar Shinde, within four weeks.

(iii) The application stands disposed of accordingly.

[AJIT B. KADETHANKAR, J.]

KBP