

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

16 CIVIL APPLICATION NO. 13808 OF 2024
IN
FIRST APPEAL NO. 468 OF 2017
WITH
FIRST APPEAL NO. 468 OF 2017

SHAMSHADBE CHANDKHA PATHAN POWER OF ATTORNEY
HOLDER ASALKHA CHANDKHA PATHAN
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MINOR
IRRIGATION, JALGAON AND ANOTHER

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Mr. M.M. Bhokarikar, Advocate for the applicants.

Mr. R.D. Raut, A.G.P. for respondent No.1 State.

Mr. A.D. Pawar, Advocate for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27 JANUARY 2025.

ORDER:-

. Heard rival submissions.

2. The application is filed for bringing legal representatives of deceased appellant on record. Admittedly, appellant Shamshadbe has died on 18.05.2012. However, there is huge delay of 4510 days. Though the application is strongly opposed by learned Counsel for the Acquiring Body, but it appears that present appeal is being prosecuted by late Shamshadbe through her power of attorney, who is also one of the legal heirs. As such, the application stands allowed in terms of prayer clauses 'B', 'C', 'D' and 'E', subject to condition that the

applicants appellants shall not pay any interest or statutory benefits for the aforesaid period of delay on the enhanced compensation, if granted.

3. Amendment be granted within stipulated period.
4. Application is disposed of accordingly.
5. List the first appeal on 10.02.2025.

(SANDIPKUMAR C. MORE, J.)