



IN THE HIGH COURT OF JUDICATURE AT BOMBAY BENCH
AT AURANGABAD

937 CIVIL APPLICATION NO. 579 OF 2025

IN FAST/35192/2024

SANTOSH JANKIRAM MORE (DIED) THR. LRS KASABAI
(DIED) THR LRS KAILASH SANTOSH MORE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH SPECIAL LAND
ACQUISITION OFFICER, SILLOD, AURANGABAD AND ANR

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Advocate for Applicants : Mr. Adkine Sonaji Kundlikrao.

AGP for Respondent/s-State : Mr. B. A. Shinde.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 13.06.2025

PER COURT :-

1. Heard both sides.
2. Applicants are praying for condonation of delay, setting aside of abatement and bringing heirs of deceased respondent No.1 Santosh More and applicant No.3 Atmaram More on record. He would further submit that in connected matters arising out of the same notification under project for which the lands have been acquired, the appeals are preferred and delay has been condoned.
3. I find that the cause of action survives against heirs of deceased applicant No.1 and applicant No.3 as shown in the title clause of the application. The averments in the application

are not controverted. I rely upon the statement of learned counsel for the applicants. Applicants are ready to forego interest and statutory benefits for the delayed period. It is desirable to condone the delay, grant consequential relief and to deal with the appeal on merits.

4. Civil application is allowed in terms of prayer clauses “B” and “C”.

First Appeal

5. **Admit.**

6. Learned AGP waives service of notice for the respondent/s-State.

7. Call for Record and Proceedings from the concerned Court.

8. This Appeal shall be heard along with First Appeal 481 of 2025.

9. It is clarified that appellants shall satisfy the Registrar of this Court regarding objection of the deficit court fees within a period of four (4) weeks from today.

(SHAILESH P. BRAHME, J.)

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vmk/-