



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 9551 OF 2024
IN
FIRST APPEAL NO. 384 OF 2025

Nagubai Anant Mhatre
Since deceased Thr. Legal Heirs. ...Applicants.

In the matter between :
Krushna Vitthal Thakur and Others. ...Appellants.

Versus
State of Maharashtra. ...Respondent.

Ms. Deepa Punde for the Appellant.
Mr. A. R. Patil, AGP for the Respondent-State.

Coram : Sharmila U. Deshmukh, J.
Date : March 19, 2025.

P. C. :

1. Interim Application has been preferred by the legal heirs of deceased Appellant No.2 seeking to be impleaded as party to the First Appeal in place of deceased Appellant No.2 and for condonation of delay and setting aside abatement.
2. Applicants are the wife and children of predeceased son and the sons and daughters of Appellant No.2. Appellant No.2 expired on 28th April 2021 and since the Applicants were unaware of the legal procedure, Application could not be filed within time.

3. In view of the fact that First Appeal arises out of the land acquisition proceedings and it is specifically pleaded that legal heirs were not aware of the procedure for bringing themselves on record, Application is allowed. Delay is condoned and abatement *qua* the Appellant No.2 is set aside. Amendment to be carried out within a period of three weeks from today.

[Sharmila U. Deshmukh, J.]