

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO.1981 OF 2025
IN
FIRST APPEAL (ST.) NO.8705 OF 2023

Gorakhnath Balaram Mhatre (since deceased)
Thr.Lrs. Jaypra Kash Gorakhnath Mhatre ... Applicant.

In the matter between:

State of Maharashtra
Through Deputy Collector Land Acquisition & Anr. ... Appellants

Versus

Kai. Motiram Balaram Mhatre (since deceased)
through LR's and Ors. ... Respondents.

Mr. Saurabh Bhutala for the Applicant.
Mr. Mayur Sonawane, AGP for the Appellant-State.

Coram : Sharmila U. Deshmukh, J.
Date : February 17, 2025

P. C. :

1. Interim Application has been preferred for bringing on record the legal heirs of the deceased-Respondent No.4. The Application has been preferred by the Applicant stating to be the only heir and legal representative of the Respondent No.4 and for condonation of delay of 5 years and 163 days caused in preferring the Interim Application.

2. Learned counsel appearing for the Applicant submits that during the pendency of the land acquisition reference, the Respondent No.4 expired on 12th October, 2020 and the Applicant

was unaware of the legal procedure for bringing himself on record in the land acquisition reference proceedings. He further submits that the Applicant was unaware of the Appeal being filed by the State Government and the legal procedure for being impleaded and as such, there is delay of 5 years and 163 days caused in preferring the Interim Application.

- 3.** Learned AGP does not seriously oppose the Application.
- 4.** For the reasons stated in the Application, Interim Application is allowed. Amendment to be carried out within a period of two weeks.

[Sharmila U. Deshmukh, J.]