

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 10688 OF 2025
IN
FIRST APPEAL NO. 769 OF 2025**

Bhau Kanha Keni alias Patil (since Deceased)
Through His Legal Heirs 1.-Sulochana Bhau Patil & Ors. ...Applicants
IN THE MATTER BETWEEN
Madan Mahadev Keni & Ors. ...Appellants
Versus
The State Of Maharashtra
Through The Deputy Collector (land Acquisition) & Anr. ...Respondents

**WITH
FIRST APPEAL NO. 807 OF 2025
(Not on Board. Taken on Board)**

Ms. Deepa Punde for the Applicant
Mr. A. R. Patil, Addl. GP for the Respondent-State

CORAM : M. M. SATHAYE, J.

DATED : 8th AUGUST 2025

P.C.:

1. Heard learned Counsel for the parties.
2. This is an Application for bringing legal heirs of the deceased Appellant No. 2 on record with a prayer to set aside the abatement of the First Appeal vis-a-vis Appellant No. 2.
3. According to the office note, there is nominal delay of 66 days in preferring the present Application.

4. Considering the nature of dispute involved under Land Acquisition Act about compensation payable to the Claimants and further considering the averments in the Application explaining delay, sufficient cause is made out.
5. The Application is allowed. Delay is condoned. Abatement of the Appeal vis-a-vis Appellant No. 2 is set aside. The present Applicants are permitted to be brought on records as heirs of the deceased Appellant No. 2.
6. Amendment to be carried out within a period of four weeks from today.
7. In view of the above order, the State is also permitted to amend the cause title of companion FA/807/2025.
8. The Interim Application is disposed of in above terms.

(M. M. SATHAYE, J.)