



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NOS. 888 AND 889 OF 2024 IN
FIRST APPEAL NO. 1119 OF 2016 (D)

The Executive Engineer, Lower Wardha Project Division

..vs..

Kisan s/o Ramji Warghane and ors.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.K. Bhoyar, Advocate for the appellant.
Shri C.R. Najbile, Advocate for the respondent no.1.
Mrs Dhande, AGP for the State.

CORAM: SANDIPKUMAR C. MORE, J.
DATE : 20/01/2025.

Heard rival submissions.

2. The Civil Application No.888/2024 is filed by the appellant/Acquiring Body for condoning the delay of 2393 days in bringing legal heirs of respondent no.1/Claimant Kisan Ramji Warghane.

3. Admittedly, Kisan Warghane died on 02.03.2017. It further appears that deceased Kisan Warghane during his life time had executed a Will in favour of Pratik Dineshrao Warghane i.e. his grandson in respect of the land under acquisition.

4. The learned Counsel for the deceased respondent no.1 Kisan submitted that there is no dispute in respect of the Will dated 17.12.2016 among the other legal representative of deceased Kisan, at present.

5. The another Civil Application no.889/2024 is for bringing Pratik Dinesh Warghane on record as a legal representative of deceased respondent no.1 Kisan Warghane.

6. As such, in view of the submissions made by the learned Counsel for deceased respondent no.1 Kisan Warghane, both the applications are allowed in terms of their respective prayers.

7. At this juncture, only Pratik Dinesh Warghane is allowed to be brought on record as legal representative of deceased respondent no.1 Kisan.

8. The learned Counsel for the respondent no.1 Kisan waives service for Pratik Dinesh Warghane.

9. Both the applications are accordingly disposed of. Necessary amendment be carried out within stipulated period.

(SANDIPKUMAR C. MORE, J.)

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