

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

CIVIL APPLICATION NOS. 1026 AND 1027 OF 2024 IN
FIRST APPEAL NO.1154 OF 2017

Executive Engineer, Irrigation Project Bembla, Yavatmal

..vs..

Lecheram Zamlaji Jadhav (dead) thr LR's

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

Court's or Judge's orders

Shri P. Patil, Advocate for the applicant.
Shri A.B. Nakshane, Advocate for respondent no.1.
Ms Kavimandan, AGP for the State.

CORAM: SANDIPKUMAR C. MORE, J.
DATE : 14/01/2025.

Heard rival submissions.

2. The Civil Application No.1026/2024 is filed by the appellant/Acquiring Body for bringing legal heirs of deceased respondent no.1-a) Smt. Parabai wd/o Lecheram Jadhav, who admittedly died on 03.05.2018 and legal heirs of deceased respondent no.1-c Ramu Lacheram Jadhav, who admittedly died on 28.10.2018 by setting aside abatement, if any. Whereas another civil application is filed for condoning respective delay in bringing the legal heirs of above mentioned deceased respondents, which are of 1037 days and 1864 days respectively.

3. The learned Counsel for the respondents opposed the applications on the ground that some of the legal heirs of aforesaid deceased respondents had already relinquished their rights from the land under acquisition.

4. However, this Court appears to have directed them to establish their right of ownership by filing an appropriate civil litigation. At this juncture, the status of

Legal heirs of those persons is intact.

5. Under such circumstances, both the applications stand allowed in terms of their respective prayers.

6. The amendment be carried out within stipulated period. The applications are disposed of.

7. Stand over to 28.01.2025.

(SANDIPKUMAR C. MORE, J.)

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