



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

CIVIL APPLICATION (CAF) NO. 1236 OF 2024

IN

FIRST APPEAL NO. 781 OF 2017

Ramkrushna Gangaram Dharmik (Dead) thru. Lrs

Vs.

Maharashtra State, Thru. Collector, Yavamal and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. V.N. Patre, Advocate for applicant.
Ms. Hemlata S. Dhande, AGP for respondent/State.
Mr. A.B. Patil, Advocate for respondent No.3.

CORAM : ROHIT W. JOSHI, J.

DATE : 06.02.2025.

This is an application by legal representatives of the original appellant seeking condonation of delay in filing application for bringing legal representatives on record. The deceased/appellant has expired on 02.06.2017. The appellants have stated on oath they were not aware about the present proceedings and therefore, steps could not be taken for bringing their names on record as legal representatives of the deceased. The delay is of 2360 days.

2. Mr. Patil, learned counsel appearing for respondent No.3 and Ms. Dhande, learned AGP

representing respondent Nos.1 and 2, vehemently opposed the application stating that the reasons stated are most unbelievable and unacceptable.

3. The appeal has already been admitted. The appeal is of the year 2017. The appeals of previous years are pending for final hearing. Even if the application was moved within limitation, probably the present appeal would not have been taken up for a final hearing. Since, the progress of the appeal is not hampered due to the delay and the matter pertains to the Land Acquisition Act, in my considered opinion, the delay should be condoned in the interest of justice. The delay is, accordingly, condoned and the abatement of appeal is set aside.

4. The appellants are permitted to bring their names as legal representatives of the deceased/appellant on record.

5. Necessary amendment be carried out within a period of two weeks from today.

6. The civil application is disposed of.

(ROHIT W. JOSHI, J.)