

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

First Appeal No.45 of 2013

(Maharashtra Industrial Development Corporation through its Chief Executive
Officer, Amravati Vs. Nana Lakhdive and another)

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

Court's or Judges Order.

Shri M.M. Agnihotri, Advocate for appellant.

Shri A.J. Bhoot, Advocate for resp.nos.(1a), (1b), (1d), (1e)
and (1f).

Shri R.L. Khapre, Advocate for resp.no.(1c).

Smt. Kalyani R. Deshpande, AGP for resp.no.2.

Coram : B.P. Dharmadhikari &

P.N. Deshmukh, JJ.

Dated : 20th October, 2015.

Civil Application (F) No.378 of 2015

and

Civil Application (F) No.1010 of 2015

This First Appeal, under Section 54 of the Land Acquisition Act, 1894, is filed by the Maharashtra Industrial Development Corporation, Amravati. The legal heirs of original land owner Nana Yashwant Lakhdive are the respondents along with the State of Maharashtra.

In Civil Application (F) No.378 of 2015, Advocate Shri Khapre appearing for legal heir no.(1c) Smt. Veena

Sureshrao Dhawle and Advocate Shri Bhoot, appearing for other legal heirs are seeking discharge of respondent nos. (1a), (1b), (1d), (1e) and (1f). It is pointed out that deceased Nana Lakhdive left behind a Will bequeathing the suit property to legal heir Smt. Veena Sureshrao Dhawle and her husband Sureshrao Dhawle.

Civil Application (F) No.1010 of 2015 is filed by Suresh Dhawle husband of Smt. Veena to come on record.

Our attention is drawn to the order dated 08-04-2013 passed on Civil Application (F) No.2111 of 2012 in First Appeal St.No.6192 of 2012 which has been later on registered as First Appeal No.330 of 2013. By that order, we have permitted Suresh Dhawle and Smt. Veena Dhawle to file an appeal under Section 54 of the said Act seeking further enhancement.

In view of these developments, the prayers made in Civil Application (F) No.378 of 2015 and Civil Application (F) No.1010 of 2015 are granted.

Thus, legal heir Smt. Veena Sureshrao Dhawle and her husband Suresh Uttamrao Dhawle shall continue as private respondents along with the State Government in First Appeal No.45 of 2013.

The necessary amendment be carried out in appeal memo showing them as legal heir nos. (1a) Smt. Veena

Sureshrao Dhawle and (1b) Shri Suresh Dhawle, within a period of one week from today.

List Civil Application (F) No.377 of 2015 after two weeks.

JUDGE

JUDGE

Deshmukh