

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

CIVIL APPLICATION (CAO) NO. 70 OF 2016

AND

CIVIL APPLICATION (CAO) NO. 71 OF 2016

AND

CIVIL APPLICATION (CAO) NO. 72 OF 2016

IN

CIVIL APPLICATION (CAF) NO. 707 OF 2015

IN

FIRST APPEAL ST. NO.25328 OF 2014

(MAHARASHTRA STATE POWER GENERATION CO. LTD.....VS..LEELADHAR BAPURAO PARATE &
OTH.)

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

Court's or Judge's orders

Shri Nachiket G. Moharir, Advocate for applicant.

CORAM : Z.A.HAQ, J.

DATED : AUGUST 26, 2016.

Though notices are served none appears for the
legal representatives of the respondent nos. 1 and 2.

Accepting the reasons stated in the applications
which are not controverted, the delay in filing the application
for bringing legal representatives on record is condoned, the
abatement is set aside and the appellant is permitted to bring
on record the legal representatives of the respondent No.1,
whose details are given in paragraph No.3 of Civil Application
No. 72 of 2006.

The Civil Applications are allowed.

CIVIL APPLICATION NO.701/2015.

This application is shown disposed in view of the order passed on 14th June, 2016. The learned advocate for the applicant/ appellant has submitted that Civil Application Nos. 70/2016, 71/2016 and 72/2016 were listed on 14th June, 2016, however, the order condoning delay which was passed on Civil Application No. 70/2016 is shown to have been passed on Civil Application No. 701/2015. Civil Application No. 701/2015 is filed by the applicant/ appellant seeking condonation of delay of 1368 days in filing the appeal. The facts on record show that the submission made on behalf of the applicant/ appellant that the order dated 14th June, 2016 was passed on Civil Application No. 701/2015 appears to be correct as inordinate delay of 1368 days could not have been condoned unless the legal representatives of contesting respondents are brought on record.

Hence, the order dated 14th June, 2016 is recalled. Civil Application No. 701/2015 is restored.

Issue notice of Civil Application No.701/2015, returnable on **13th January, 2017.**

JUDGE

CERTIFICATE

I certify that this order uploaded is a true and correct copy of original signed order.

Uploaded by : R.B. Raut, PS

Uploaded on : 30/08/2016.