

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

CIVIL APPLICATION (F) NO.1789 OF 2016
IN
FIRST APPEAL STAMP NO.25608 OF 2015

(V.I.D.C. thr. its Executive Engineer, Bembla Project Division, Dist. Yavatmal Vs.
Pandurang Ganpat Kale (deceased) thr. LR's Dilip Pandurang Kale and others)

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

Court's or Judge's orders.

Shri J.B. Kasat, Advocate for Applicant.
Shri A.R. Chutke, AGP for Respondent Nos.2 & 3.

CORAM: DR. (SMT.) SHALINI PHANSALKAR-JOSHI, J.
DATE: 30th JUNE, 2017.

As the applicant is an acquiring body and his presence is necessary for deciding controversy involved in the appeal, the application is allowed. The applicant is granted leave to file the appeal.

The application is disposed of.

Civil Application (F) No.1046/2017:

This is an application seeking condonation of delay of 221 days in preferring the appeal.

Heard learned counsel for applicant.

Shri A.R. Chutke, the learned A.G.P. waives service of notice for respondent Nos.2 and 3.

Respondent No.1A to 1E though duly served remained absent.

For the reasons stated in paras 3 and 4 of the application as sufficient cause is made out, the delay in preferring the appeal is condoned.

The application is allowed with no order as to costs.

First Appeal Stamp No.25608/2015:

Heard.

Admit.

Call for R & P.

Shri A.R. Chutke, learned A.G.P. waives service of notice for respondent Nos.2 and 3.

The applicant to file private paper-book within a period of six months from the date of this order, after receipt of R & P.

JUDGE