

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

CAF NO.1749/2018 IN FA ST.NO.5174/2018
VIDC, thr. The Executive Engineer, Canal Division, Bembla Project Yavatmal,
District Yavatmal and anr
..VS..
Bhimrao Shankarrao Choudhary and ors

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

Court's or Judge's Order

.....
Mrs. P.P. Chobe, Counsel for the applicants.

CORAM : V.M. DESHPANDE, J.
DATED : SEPTEMBER 28, 2018.

1. Heard learned counsel Mrs. P.P. Chobe for the applicants.
2. This is an application filed on behalf of the applicant/VIDC for grant of leave to file an appeal.
3. Notices on this application were issued on 27.6.2018. Inspite of service on non-applicant No.1, nobody is appearing on his behalf. Learned Assistant Government Pleader Shri I.J. Damle appears for non-applicant Nos.2 and 3/State.
4. In view of the law laid down by the Honourable Apex Court in the case of Vidarbha Irrigation Development Corporation vs. Santosh Janba Warghane and another, reported at 2017(4) Mh.L.J. 64, the application is allowed. Leave is granted to applicant/VIDC to file the appeal.
5. The civil application stands allowed and disposed of

accordingly.

CAF No.2185/2018

1. This is an application for condonation of delay in preferring the appeal. Delay is of 342 days.
2. Heard learned counsel for the parties.
3. Notices on this application were issued on 27.6.2018. In spite of service, nobody is appearing on behalf of non-applicant No.1. Non-applicant Nos.2 and 3 are represented by learned Assistant Government Pleader Shri I.J. Damle.
4. For the reasons stated in the application, the application is allowed. Delay in preferring the appeal is hereby condoned. Office to register the first appeal. The civil application stands disposed of accordingly.

FA St.No.5174/2018

1. Heard.
2. ADMIT.
3. The record and proceedings be called for.
4. Learned Assistant Government Pleader Shri I.J. Damle waives service for respondent Nos.2 and 3.

JUDGE

!! BRW !!

...../-