

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

C.A.F. NO. 1224/2018
AND
C.A.F. NO. 1225/2018
IN
FIRST APPEAL NO. 171/2004

MIDC

..VS..

Smt. Sundalbai w/o Vidyaratn Wadte (Dead) Thru LR's & ors.

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

Court's or Judge's orders

Shri Y. Ganu, Adv. h/f Shri M.M. Agnihotri, Adv. for the appellant(s)
Shri D.G. Patil, Advocate for the respondent no. 1
Ms. M. Barabde, AGP for the respondent nos. 3 and 4

CORAM : Z.A.HAQ, J.

DATED : APRIL 11 2018.

F.A. No. 171/2004 is decided on 21/10/2015.
Now the legal representatives of the respondent no. 1 (i) have filed an application pointing out that the respondent no. 1 (i) died on 21/01/2017 and have prayed that they be permitted to come on record. There is delay in filing the application and therefore, an application praying for condonation of delay is filed.

Accepting the explanation given in the application and considering the facts of the case, delay of 349 days in filing C.A.F. No. 1225/2018 is condoned and the applicants are permitted to come on record as the legal representatives of the respondent no. 1 (i).

The civil applications are allowed accordingly. No costs.

C.A.F. NO. 1226/2018

Accepting the submissions made in the application, the amount deposited by the appellant alongwith interest on it, if any, be disbursed to the claimants in the proportion as stated in the prayer clause of this civil application.

The civil application is allowed accordingly. No costs.

JUDGE

Ansari