

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

MISC. CIVIL APPLICATION NO.903/2018

IN

CAF NO.457/2017

IN

FA ST.NO.7663/2016

VIDC, thr. its Executive Engineer, Yavatmal Medium Project Division, District
Yavatmal

..VS..

Jagan Rupsingh Jadhao and ors

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

Court's or Judge's Order

.....
Shri Vinay Dahat, Counsel for the applicant.
Shri I.J. Damle, AGP for non-applicant Nos.7 & 8.

CORAM : V.M. DESHPANDE, J.

DATED : AUGUST 28, 2018.

1. The applicant/VIDC preferred an appeal before this Court challenging judgment and award dated 10.10.2012 passed by learned Civil Judge Senior Division, Darwaha in LAC No.108/2005. The appeal was barred by limitation. Therefore, a civil application for condonation of delay was moved. On the said application, the Notices were issued. However, non-applicant No.3 Sau. Shilabai Rathod and No.5 Sau. Nirmala Rathod were not served for want of correct address. The other non-applicants were served. Since the aforesaid two ladies were not served, the application for condonation of delay and the appeal *qua* them, in the present application learned counsel Shri Vinay Dahat for the applicant/VIDC stated that Advocate Shri Tripathi for the other non-applicants

intimated him that he has instructions to appear for and on behalf of non-applicant Nos.3 and 5.

2. In view of the above, the present application is allowed and disposed of. The application for condonation of delay and the appeal dismissed against non-applicant Nos.3 and 5 are restored to file.

3. Learned counsel Shri Vinay Dahat for the applicant/VIDC submits that the matter can be worked out in the Lok Adalat and, therefore, requested that the matter be placed before the Lok Adalat. Learned counsel Shri Tripathi for the non-applicants has no objection for the same.

4. Hence, Registry is directed to place the matter before the Lok Adalat.

JUDGE

!! BRW !!

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