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

CIVIL APPLICATION (CAF) NOS. 3178/2018, 3179/2018 AND 3180/2018
IN
FIRST APPEAL NO. 172/2017 (DECIDED)

VIDC thr. its E.E., Lower Wardha Project Division, Wardha.
Vs.
Ramdas Gulabrao Khonde and others.

Office Notes, Office Memoramda of Coram, appearances, Court's orders of directions and Registrar's Orders. | *Court's or Judge's orders.*

Shri A.R. Bhole, Advocate for the Applicant/Appellant.
Shri D.S. Lambat, Advocate for the Non-applicant/Respondent No. 1.
Shri K.R. Lule, AGP for the Non-applicant/Respondent Nos.2 & 3.

CORAM: ARUN D. UPADHYE, J.
DATE: 31-10-2018.

The learned Counsel for the applicant / appellant has submitted that the Civil Application No.3250/2018 is filed by the legal heirs of deceased / respondent No.1, and hence these applications do not survive.

Accordingly, these civil applications are disposed of as not survive.

CIVIL APPLICATION (CAF) NO. 3250/2018

This is an application filed by the legal heirs of the deceased /respondent No.1 for bringing legal heirs. There is a delay in filing the application. Considering the

reasons stated in the application, I am of the view that the delay could be condoned and abatement, if any, could be set aside and the application for bringing legal heirs of respondent No.1 could be allowed.

The Civil Application is allowed and delay is condoned. Abatement, if any, is set aside. The legal heirs of respondent No.1 be brought on record. The amendment be carried out forthwith.

CIVIL APPLICATION (CAF) NO. 3181/2018

Heard the learned Counsel for the non-applicant /respondent. The legal heirs of respondent Nos. 1(ii) and 1(iii) have no objection for withdrawal of the amount by legal heirs of Respondent No. 1(i) Milind Ramdas Khonde on their behalf.

Hence, this civil application is allowed. The non-applicant /respondent No. 1(i) is permitted to withdraw the amount alongwith accrued interest.

JUDGE

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