

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**1007 CIVIL APPLICATION NO.13876 OF 2012
IN FAST/31314/2012**

**DURGA RAJESH MEWADE AND ORS
VERSUS
TRILOCHANSING KULBIRSINGH HATIYA AND ANR**

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Advocate for Applicants : Mr. Pawar Ajay D.
Advocate for Respondent No.2 : Mr. S.N. Pagare

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 30th AUGUST, 2019

ORDER :

. Present application has been filed for getting the delay of 87 days condoned in filing first appeal. However, it is to be noted that this Court, by order dated 01.03.2013 had dismissed the application on the ground that the steps were not taken for bringing the legal representatives of respondent No.1 on record. It was the conditional order which was to come in operation after 6 weeks from 01.03.2013, till today no steps have been taken to bring the legal representatives of respondent No.1 who was also the original respondent No.1 before the trial Court. The trial Court had passed a joint and several award as against both the respondents making them liable to pay the said amount of compensation. Under such

circumstance, the award that was passed was joint and several and therefore, the dismissal of the application as against respondent No.1 would dispose of the civil application itself in entirety. Accordingly, the civil application is disposed of.

(SMT. VIBHA KANKANWADI, J.)

SCM