

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

CIVIL APPLICATION (CAF) NO.2101 OF 2015
IN
FIRST APPEAL ST. NO.5102 OF 2015

V.I.D.C. Thr. Executive Engineer, Bembla Project Division Yavatmal

-vs-

Shankar Baliram Pardakhe (Dead) thr. LR. Vilas Shankarrao Pardakhe and ors.

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

Court's or Judge's Orders.

Ms Amruta Gupta, Advocate appellant.
Shri A. R. Ingole, Advocate for respondent No.1.
Ms H. N. Prabhu, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : February 04, 2019

Civil Application Nos.2144 and 2145 of 2018

Notice on both the applications is made returnable forthwith. Shri A. R. Ingole, learned counsel waives notice for legal heirs of respondent No.1B.

Considering reasons mentioned in the application, the delay in bringing on record the legal heirs is condoned. The legal heirs are permitted to be brought on record. Amendment be carried out within one week from today. Both the applications are disposed of.

Civil Application No.1649 of 2018

Considering the nature of amendment as sought, the prayer is granted. Amendment be carried out within one week from today.

Civil Application is allowed and disposed of.

Civil Application No.2101 of 2015

Prayer is to condone the delay in filing the appeal.

Perused contents of the application as well as additional affidavit filed by the Executive Engineer. In the affidavit it is stated that since the Legal Cell of the Corporation was not duly constituted, delay has been caused in preferring the present appeal.

The prayer is opposed by the learned counsel for the claimants on the ground that the reasons assigned are not sufficient to condone the delay.

Considering the averments made in the additional affidavit, the delay in filing the appeal is condoned subject to the applicant paying costs of Rs.3000/- to the claimants within period of six weeks from today. Delay is condoned in aforesaid terms.

Civil Application is disposed of.

JUDGE