

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

**CIVIL APPLICATION (CAF) NO.1962/2018**  
**IN**  
**FIRST APPEAL ST. NO.17079/2017**

**The Executive Engineer, Bembla Project Division. Yavatmal Tah. And Dist.**  
**Yavatmal**  
**...Versus...**  
**Bapurao Laxman Shirbhate (Dead) through L.Rs. Smt. Shantabai Bapurao**  
**Shirbhate and others**

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

Shri P.B. Patil, Counsel for applicant  
Shri A.B. Nakshane, Counsel for respondent nos.1-a to 1-f  
Shri I.J. Damle, AGP for respondent nos.2 and 3

**CORAM : ARUN D. UPADHYE, J.**  
**DATE : 25/04/2019**

Heard.

Perused the application. There is a delay of 289 days caused in filing the first appeal.

For the reasons stated in the application, the delay caused in filing the first appeal is condoned. The civil application is allowed and disposed of accordingly. No order as to costs.

**FIRST APPEAL ST. NO.17079/2017**

Heard.

**ADMIT.**

Call for record and proceedings.

Learned Counsel Shri A.B. Nakshane waives service of notice for the respondent nos.1-a to 1-f and learned Assistant Government Pleader Shri I.J. Damle waives service of notice for the respondent nos.2 and 3.

**CIVIL APPLICATION (CAO) NO.919/2019**

At the request of the learned Counsel for the parties, stand over to 29/04/2019.

**JUDGE**

Wadkar, P.S.