

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

CIVIL APPLICATION (CAF) NO. 1714 OF 2019

in

FIRST APPEAL (ST.) NO. 20382 OF 2018

(Jagdish Matasharan Tiwari (Dead) through Legal Heirs Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. D. Darne, Advocate for the appellants
Shri H. D. Dubey, AGP for the respondent nos. 1 and 2

CORAM : M. G. GIRATKAR, J.

DATE : 11/06/2019

Heard learned Advocate Shri Darne for the applicants. He has submitted that during the pendency of Reference Claim original appellant - Jagdish M. Tiwari died. It was not informed to the Court. Reference Court decided the reference on merit.

Learned Advocate Shri Darne has submitted that the Counsel of the appellant was also died and, therefore, there was no communication to legal heirs of original appellant. Hence, there is delay.

Shri Dubey, learned AGP for respondent nos. 1 and 2 strongly objected the application.

Looking to the grounds mentioned in the application, the application is allowed. The delay is condoned. Appeal be registered.

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Issue notice to the respondents.

Shri Dubey, learned AGP waives notice on behalf of respondent nos. 1 and 2.

Put up this matter for final hearing on 25.06.2019.

JUDGE

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