

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

CIVIL APPLICATION (CAF) NO.1853 OF 2017
IN
FIRST APPEAL ST. NO. 23845 OF 2015

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

-vs-

Jaiwantabai Ramaji Waghmare and ors.

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

Court's or Judge's Orders.

Shri J. B. Kasat, Advocate for appellant.
Shri D. A. Sonwane, Advocate for respondent No.1.
Ms H. N. Prabhu, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : February 12, 2019

Notice on the application is made returnable forthwith. Shri D. A. Sonwane, learned counsel waives notice on behalf of legal heirs of respondent No.1. Ms H. N. Prabhu, learned Assistant Government Pleader waives notice on behalf of respondent Nos.2 and 3.

Perused the Civil Application. Considering the statements made therein the application is allowed in terms of its prayer. After condoning the delay the legal heirs are permitted to be brought on record. Amendment be carried out within one week.

Civil Application is disposed of.

Civil Application No.4140 of 2017

Prayer is to condone the delay in filing the appeal. The reasons for the cause of delay are mentioned in

paragraphs 2 to 4 of the application.

The prayer is opposed by the learned counsel for the legal heirs of respondent No.1.

Considering the reasons mentioned, the delay in filing the first appeal is condoned subject to the applicant paying costs of Rs.2500/- to the legal heirs of the respondent No.1. Same be done within period of four weeks from today.

Civil Application is allowed and disposed of in aforesaid terms.

JUDGE