

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

CIVIL APPLICATION (CAO) NO. 350 OF 2020 IN
FIRST APPEAL STAMP NO. 10147 OF 2016

Executive Engineer, Khadakpurna Vs. Karbhari Jaibhai and Others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. J.B. Kasat, Advocate for the applicant / appellant
Mr. K.L. Dharmadhikari, AGP for the respondents No.2 and 3 / State

CORAM : V.M.DESHPANDE, J.

DATE : 21st OCTOBER, 2021.

This is an application for setting aside abatement, bringing legal heirs on record and for condonation of delay in respect of respondent No.1 Karbhari Dagdu Jaibhai, who passed away on 11/12/2017.

2. Notices on this application were issued. Office note shows that notices issued to the proposed legal representatives are served, however, nobody is appearing on their behalf. The Special Land Acquisition Officer is represented by Mr. K.L. Dharmadhikari, learned Assistant Government Pleader.

3. The application is allowed.

4. Delay stands condoned, abatement is set aside.

The appellants are permitted to substitute the names of legal representatives of deceased respondent No.1 Karbhari Dagdu Jaibhai on record by amending the cause title within a period of two weeks from today. After the amendment is carried out, issue fresh notices to the newly added respondents, returnable after eight weeks.

5. Necessary amendment be carried out in respective Civil Applications also.

JUDGE

MP Deshpande