

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

Civil Application (F) Nos.634, 635 and 636/2021 in First Appeal St. No.23726/2015

The State of Maharashtra, thr. Collector, Nagpur and others.

Vs

Smt Vatsalabai w/o Madhavrao Raut.

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

Court's or Judge's Orders

Shri M.A. Kadu, AGP for Appellant/State.

Shri C.R. Najbile, Advocate for proposed Lrs of Respondent-Sole.

CORAM : S.M. MODAK, J.

DATE : 25th JUNE, 2021.

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Respondent Vatsalabai Madhavrao Raut expired on 19.11.2014. Her legal representatives filed an application for joining them. It was rejected on 23.02.2021. For the reason that learned AGP made a statement that they will file necessary applications.

3. There is a delay of 2200 days. The reason is the appellant was not aware about the same. The legal representatives have got an explanation to give, as they were not served with the notice of this appeal, they could not intimate the Court.

4. From both the sides, there is a justification for not bringing the legal representatives earlier. Hence, the abatement of

the appeal needs to be set aside with condonation of delay.
Hence, the order:-

ORDER

- 1] Civil applications are allowed.
- 2] The Abatement of the appeal is set aside.
- 3] The delay caused in bringing legal representatives on record is condoned.
- 4] The legal representatives mentioned in civil application No. 636/2021 be brought on record.
- 5] Necessary amendment be made in the appeal.
- 6] Learned Advocate Shri C.R. Najbile, for the propose legal representatives waives notice.

FIRST APPEAL ST. NO. 23726/2015

Send remainder for calling of record and proceedings.
Private paper-book be dispensed with.
First Appeal be listed for final hearing in the usual course.

JUDGE