

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

**CIVIL APPLICATION (CAF) NO.2101/2021 IN FA NO.784/2019
VIDC, thr.the Executive Engineer, Bembla Project Yavatmal, District
Yavatmal and anr**

..VS..

Hanuman Ramkrishna Kadu and ors

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

Court's or Judge's Order

.....
Shri M.A.Kadu, Counsel for Applicants/Appellants.
Shri R.J.Shinde, Counsel for Respondent No.1.
Shri K.L.Dharmadhikari, AGP for Respondent Nos.2 & 3.

**CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 20, 2021**

1. Heard.
2. This is an application for condonation of delay in bringing legal representatives of respondent No.1 and for setting aside abatement and for grant of permission to bring legal representatives of respondent No.1 on record.
3. This application is moved by appellants. Appellants are represented by learned counsel Shri M.A.Kadu. Respondent No.1 is represented by learned counsel Shri R.J.Shinde. Respondent Nos.2 and 3/State are represented by learned Assistant Government Pleader Shri K.L.Dharmadhikari.
4. During the pendency of the appeal, respondent No.1 Hanuman Ramkrishna Kadu passed away on 10.8.2016 leaving behind him legal representatives whose names are mentioned in this application. One of legal representatives

Anita Rajendra Dhande pre-deceased him. Her legal representatives are also stated in this application. Legal representatives of deceased Hanuman and deceased Anita are represented by Advocate Shri R.J.Shinde. He submits that he has instructions from all legal representatives that they have no objection for allowing this application. His statement is accepted.

5. In this view of the matter, I pass following order:

ORDER

- (1) The civil application is allowed.
- (2) The delay in filing application for bringing legal representatives of respondent No.1 and for setting aside abatement and for grant of permission to bring legal representatives of respondent No.1 on record stands condoned.
- (3) Abatement is aside.
- (4) Appellants are permitted to substitute names of legal representatives in place of respondent No.1 Hanuman Ramkrishna Kadu.
- (5) Amendment to be carried out within a period of one week from today.

With this, the civil application stands disposed of.

JUDGE

!! BRW !!

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