

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

CIVIL APPLICATION (CAO) NO. 751 OF 2020 IN
CROSS OBJECTION STAMP NO. 16066 IN 2019
FIRST APPEAL NO. 1243 OF 2018

Omprakash Ambalal Sharma (dead) through his LRs Smt. Kailasibai
Imprakash Sharma and others

Vs.

The Executive Engineer, Bembla Project, Division Yavatmal, Yavatmal & Ors

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

Court's or Judge's orders.

Shri V.N. Patre, Advocate for corss-objector.
Shri M.A. Kadu, Advocate for appellant.
Smt. H.N. Jaipurkar, A.G.P for respondents.

CORAM : PUSHPA V. GANEDIWALA, J.
DATE : 26th JULY, 2021.

Heard.

- (2) Issue notice to the respondents.
- (3) Shri M.A. Kadu, learned counsel waives service of notice for respondent no.1.
- (4) Smt. H.N. Jaipurkar, learned A.G.P. waives notice on behalf of respondent nos.2 and 3.
- (5) Perused the application. It is stated that First Appeal No.1243 of 2018 has been admitted by this Court on 19.06.2019 and till date private paper book has not been filed. Learned counsel for the applicants submits that the

applicants are ready to waive off the interest during the period of delay. Considering this fact and for the reasons mentioned in the application, the delay of 377 days caused in filing the cross objection is condoned.

(6) The application is allowed and disposed of.

CROSS OBJECTION NO. OF 2021

(7) Heard.

(8) Issue notice to the respondents.

(9) Shri M.A. Kadu, learned counsel waives service of notice for respondent no.1.

(10) Smt. H.N. Jaipurkar, learned A.G.P. waives notice on behalf of respondent nos.2 and 3.

FIRST APPEAL NO.1243 OF 2018

(11) Heard.

(12) Shri Kadu, learned counsel for the appellant submits that the private paper book is ready in legal size, and seeks permission to file the same. He further submits that if the office is requiring the paper-book in A4 size, he undertakes to supply the same at that time.

(13) Given the aforesaid undertaking, learned counsel for the appellant is permitted to file private paper in legal size within two weeks.

(14) Stand over to two weeks.

JUDGE

Wagh