

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

Civil Application (CAO) No.399/2020

IN

Civil Application (CAF) No.2211/2019

IN

First Appeal Stamp No.26827/2018

Union of India through General Manager of Railway & Anr. **Vs.** Champat Sadashiv Fating (Dead)
through his L.Rs. & Ors.

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

Court's or Judge's Orders

Shri V.M. Gadkari, Advocate for the Appellants.
Smt. S.S. Wandile, Advocate for Respondent Nos.1-a and 1-b.
Ms. T.H. Udeshi, AGP for Respondent No.2.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 22nd FEBRUARY, 2021.

The applicants herein have sought extension of time to
deposit the decretal amount before this Court.

In view of the reasons stated in the application, time to
deposit the decretal amount, as per the order of this Court, is
extended by one week.

The civil application stands disposed of.

Civil Application (CAF) No.2211/2019

The applicants have sought to condone the delay of 262
days in filing the appeal against the judgment and award dated
24/11/2017 passed by the Reference Court in L.A.C. No.40/2013.

In view of the reasons stated in the said application, the
application is allowed. Delay is condoned.

The civil application stands disposed of.

Appeal be registered after removing office objections, if any.

Civil Application (CAO) Nos.2273/2019, 2274/2019 & 2275/2019

The applicants have sought to set aside the abatement of appeal and to condone the delay in bringing on record the legal representatives of respondent No.1 and has further sought leave to bring these legal representatives on record.

Learned Counsel representing the legal representatives of respondent No.1 has no objection for condoning the delay in bringing on record the legal representatives of respondent No.1.

In view of the reasons stated in the applications, the applications are allowed. Abatement is set aside. Delay in filing the application for bringing on record the legal representatives of respondent No.1 is condoned. The legal representatives of respondent No.1 are ordered to be brought on record. Cause title be amended within a period of one week.

The civil applications stand disposed of.

Civil Application (CAF) No.2212/2019

The execution and implementation of the impugned judgment and award is stayed till the next date of hearing.

Stand over to 01/03/2021.

First Appeal Stamp No.26827/2018

Learned Counsel for respondent Nos.1-a and 1-b states

that the matter is covered by judgment dated 08/08/2019 in First Appeal No.189/2017.

In view of the said statement, parties are put to notice that an endeavor will be made to dispose of the appeal finally at the stage of admission.

Stand over to 01/03/2021.

(SMT. ANUJA PRABHUDESSAI, J.)