

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

Civil Application (CAO) No.156/2020
AND
Civil Application (CAO) No.157/2020
IN
Civil Application (CAF) No.793/2019
IN
First Appeal Stamp No.26299/2018

VI.D.C. through its Executive Engineer, Minor Irrigation Division, Washim & Anr. **Vs.** Sheshrao
Nagoraoji kale & Ors.

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

Court's or Judge's Orders

Shri Amit Kukday, Advocate h/f Shri H.D. Marathe, Advocate for the Appellants.
Shri Amol Darekar, Advocate for Respondent Nos.1(a) to 1(f).
Shri M.A. Kadu, AGP for Respondent Nos.2 and 3.

CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATE : 4th MARCH, 2021.

The applicants have filed these applications to condone the delay for setting aside of abatement and bringing on record the legal representatives of respondent No.1.

Learned Counsel, who is representing the legal representatives of respondent No.1, has no objection.

Hence, delay is condoned. Abatement is set aside. The legal representatives of deceased – respondent No.1 are ordered to be brought on record. Cause title be amended within one week.

The civil applications stand disposed of.

Civil Application (CAF) No.793/2019

Shri Amol Darekar, learned Counsel waives service of

notice on behalf of the legal representatives of the deceased – respondent No.1 and Shri M.A. Kadu, learned AGP waives service on behalf of respondent Nos.2 and 3.

In view of the reasons stated in the 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 (CAF) No.794/2019

Learned Counsel for the applicants states that principal amount is deposited before the Reference Court and the balance amount will be deposited before this Court within one week.

In the light of the said statement, execution and implementation of the impugned judgment and award is stayed till the disposal of the appeal. In the event, the appellants fail to deposit the amount within one week, the interim relief shall stand vacated without further reference to the Court.

The civil application stands disposed of.

First Appeal Stamp No.26299/2018

Heard. Arguable points are raised. Hence, admit.

Shri Amol Darekar, learned Counsel waives service of notice on behalf of the legal representatives of the deceased –

respondent No.1 and Shri M.A. Kadu, learned AGP waives service on behalf of respondent Nos.2 and 3.

Call for the record and proceedings.

Paper-book to be filed within six months.

(SMT. ANUJA PRABHUDESSAI, J.)