

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

CIVIL APPLICATION (CAF) NO.311/2021

IN
FIRST APPEAL ST. NO.5725/2020

Vidarbha Irrigation Development Corporation through Executive Engineer,
Bembla Canal Division, Yavatmal Tahsil Yavatmal, District Yavatmal and

another

...Versus...

Latabai Ashok Parate and others

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

Court's or Judge's orders

Shri J.J. Chandurkar, Advocate for applicants
Shri M.A. Kadu, AGP for respondent nos.2 and 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 22/11/2022

1. The civil application seeks condonation of delay of 165 days caused in filing the appeal.
2. Though the respondent no.1 is served, none appears. Learned Assistant Government Pleader Shri Kadu appears for the respondent nos.2 and 3.
3. Considering the quantum and accepting the reasons given in the application, the delay is condoned. The civil application is allowed and disposed of accordingly. Office to register the appeal.

FIRST APPEAL ST. NO.5725/2020

1. **ADMIT.**
2. Learned Assistant Government Pleader Shri Kadu waives service of notice for the respondent nos.2 and 3 on merits.
3. The appellants to serve the respondent no.1 by all modes of service permissible in law.
4. Call record and proceedings. The appellants to file the private paper-book within a period of two weeks.

CIVIL APPLICATION (CAF) NO.312/2021

1. Issue notice to the respondents, returnable in two weeks.
2. Learned Assistant Government Pleader Shri Kadu waives service of notice for the respondent nos.2 and 3.
3. The amount is already deposited in this Court vide C.C.D. No.R-28365 dated 19/03/2021. The respondent no.1 be served by all modes of service permissible in law. Hamdast granted.

(AVINASH G. GHAROTE, J.)