

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

**Civil Application (CAF) No.1438/2020**  
**AND**  
**Civil Application (CAF) No.1439/2020**  
**IN**  
**First Appeal No.935/2018**

Executive Engineer, Purna Medium Project Achalpur **Vs.** Mahadeorao Kisanrao Sawarkar & Ors.

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

Shri N.A. Waghmare, Advocate h/f Shri P.B. Patil, Advocate for the Appellant.  
Shri R.J. Shinde, Advocate for Respondent No.1.  
Shri H.D. Dubey, AGP for Respondent Nos.2 & 3/State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**  
**DATE : 5<sup>th</sup> JANUARY, 2022.**

01] By these applications, the Appellant has sought for setting aside the abatement after condoning the delay of 810 days and to bring on record the legal representatives of deceased Respondent No.1.

02] Shri R.J. Shinde, learned counsel for Respondent No.1 has no objection for the same. Hence, the Applications are allowed. Delay is condoned. Abatement is set aside. The legal representatives of deceased Respondent No.1, whose names are specified in paragraph 3 of the Application are ordered to be brought on record as Respondent Nos.1-a to 1-e. Cause title be amended within two weeks. Civil Applications are disposed of in above terms.

03] Shri R.J. Shinde, learned counsel waives service on behalf of Respondent Nos.1-a to 1-e.

(SMT. ANUJA PRABHUDESSAI, J.)

Signed By:VIJAY KUMAR  
Personal Assistant

Signing Date:06.01.2022 18:48

Vijay