

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

**CIVIL APPLICATION (CAF) NO.1271/2022**  
**WITH**  
**CIVIL APPLICATION (CAF) NO.1272/2022**  
**WITH**  
**CIVIL APPLICATION (CAF) NO.1273/2022**  
**IN**  
**FIRST APPEAL NO.287/2012**

Vidarbha Irrigation Development Corporation through Executive Engineer, Nagpur

Vs.

Mainabai w/o Mohandeo Bhaiswar (dead) and others.

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

Court's or Judge's orders

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Shri P.J. Mehta, Advocate for LR's of respondent No.1  
Shri N.R. Patil, AGP for respondent No.2

**CORAM : SMT. M.S. JAWALKAR, J.**  
**DATED : 01/07/2022**

Present application is filed for setting aside the abatement. It is submitted that the matter was settled before the Lok Adalat and appeal came to be withdrawn by the V.I.D.C. as the enhanced amount of compensation was within four times of the amount of compensation awarded by the Land Acquisition Officer. It is contended that at the relevant time, Civil Application No.2467/2021 was pending for bringing legal representatives. However, no orders came to be passed and as appeal came to be withdrawn, those applications have become infructuous. Those applications were filed belatedly due to technical difficulties. Counsel for appellants have no objection.

Both the said applications are allowed.

Abatement if any of respondent No.1 is set aside. Applicants are permitted to bring on record the legal representatives of respondent No.1.

Amendment to be carried out within one week.

**JUDGE**

*R.S. Sahare*