

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

CIVIL APPLICATION (CAF) NO. 1801 OF 2021
AND
CIVIL APPLICATION (CAF) NO. 1802 OF 2021
IN
FIRST APPEAL (ST.) NO. 22129 OF 2016

Executive Engineer, Minor Irrigation Division, Wardha

...VERSUS...

Nagorao Annayaji Misal and ors.

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

Court's or Judge's order

Shri S.K.Bhoyar, Advocate for appellant.

Ms. Shruti Najbile, Advocate for respondent nos. 1(a) to 1(e).

Shri M.A.Kadu, Asst. G.P. for respondent nos. 2 and 3.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 06th September, 2022.

The Civil Application (CAF) No. 1801/2021 is filed for condonation of delay in filing application for setting aside the abatement and for bringing legal heirs of respondent no. 1 on record.

2. The Civil Application (CAF) No. 1802/2021 is filed for bringing legal heirs of respondent no. 1 on record.

3. Issue notice on civil applications to the proposed legal heirs of respondent no. 1.

4. Ms. Shruti Najbile, learned counsel on instructions waives notice for the proposed legal heirs of respondent no. 1.

5. Ms. Shruti Najbile, learned counsel has no objection to condone the delay and for bringing legal heirs of respondent no. 1 on record.

6. Accordingly, for the reasons stated in the applications, the delay in filing application for setting aside abatement and for bringing legal heirs of respondent no. 1 on record is hereby condoned.

7. The permission is granted to the appellant to bring the names of legal heirs of respondent no. 1 on record. Necessary amendment to be carried out within one week. Accordingly, both the applications are disposed of.

FIRST APPEAL (ST.) NO. 22129 OF 2016

The learned counsel for legal heirs of respondent no. 1 to file 'Vakalatnama' within two weeks.

2. List the matter after two weeks.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar