

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

CIVIL APPLICATION (CAO) NO. 618/2022
WITH
CIVIL APPLICATION (CAO) NO. 619/2022 IN
CROSS OBJECTION NO.7/2017 IN
FIRST APPEAL NO. 1019/2015

Vidarbha Irrigation Development Corporation, through its Executive Engineer, Lower
Wardha Project Division

Vs.

Sanjay S/o Nanaji Raut 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 S.K. Bhoyar, Advocate for appellant
Shri S.U. Nemade, Advocate for respondent Nos. 1 to 7
Ms T.H. Udeshi, A.G.P for respondent Nos.8 & 9

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

DATE : 26/08/2022

The present application is filed by legal representatives of cross-objector No.5 for bringing their names in place of respondent No.5, who died on 29/08/2016.

2. The reason stated in the application for delay in filing application is that they are rustic people who are not aware of the procedure. He also raised ground for delay that there was pandemic in between and Courts were closed. As such, prayed for condonation of delay for setting aside abatement and bringing legal representatives i.e. applicant-respondent No.5 on record.

3. There is no serious objection on behalf of appellant to the application. As right to sue survives and the appeal is already admitted and cross-objections are also admitted, the applications are allowed.

4. Abatement is set aside, delay is condoned in filing application for bringing legal representatives of applicants on record. The legal representatives are permitted to be brought on record as legal representatives of applicant No.5- cross objector.

5. Applications are disposed of.

6. Necessary amendment to be carried out within one week.

(SMT. M.S. JAWALKAR, J.)

Jayashree..