

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

First Appeal No.943 of 2014

The State of Maharashtra

vs.

Balal Ganbaji Rode (abated), through L.Rs. & others

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

Court's or Judge's Orders

Mr. M.A. Kadu, A.G.P. for the Appellant.

Mrs. Rajkumari Rai, Advocate for the Respondents.

CORAM : M.S. KARNIK, J.

DATE : 13th APRIL, 2022.

Civil Application [CAF] No.1/2022 :

This is an application under Order XXII Rule 9(2) of the Code of Civil Procedure for setting aside abatement of the appeal. The respondents are duly served.

As there is no appearance and response on behalf of the respondents, for the reasons stated in the application, the application is allowed. The abatement of the appeal is set aside.

Civil Application [CAF] No.2/2022 :

This is an application for condonation of delay of 2454 days in filing an application for bringing the legal representatives of respondent No.3 on record in the first appeal. None for the respondents, though they are duly served.

For the reasons stated in the application, the application is allowed and the delay of 2454 days in filing the application for bringing the legal representatives of respondent No.3 on record in the first appeal is condoned.

Civil Application [CAF] No.3/2022 :

This is an application for bringing the legal heirs of respondent No.3 on record, who died on 28/10/2014. The respondents and the legal representatives of respondent No.3 are duly served.

For the reasons stated in the application, the application is allowed in terms of prayer clause (i). Consequential amendments to be carried out within a period of two weeks from today.

First Appeal No.943/2014:

In view of the Government Resolution dated 03/11/2016, the learned A.G.P. to take instructions, whether the appeal can be withdrawn as the amount of compensation, which has been enhanced by the Reference Court is not exceeding four times the amount that is awarded by the Special Land Acquisition Officer.

List this appeal on 28th April, 2022 under the caption of 'withdrawal'.

JUDGE

**sandesh*

Signed by: SANDESH DAULATRAO
WAGHMARE
Private Secretary to the Hon'ble Judge
Signing Date: 13.04.2022 19:51