

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

CIVIL APPLICATION [CAF] NO. 3688/2018
IN FIRST APPEAL NO. 1074/2016.

Executive Engineer, Kadakpurna Project, Buldhana.

-Versus -

Trimbak Arjun Mate and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri R.D. Kalra, Advocate for the Appellant.
Shri K.S. Narwade, Advocate for Respondent Nos.1& 2.
Shri H.D. Dubey, A.G.P. for Respondent Nos.3 and 4.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : JANUARY 13, 2022.

Heard.

2. By this application, the appellant/ applicant has sought to bring legal representatives of deceased respondent no.1 Trimbak on record, after condoning delay of 866 days. Names of legal heirs of deceased respondent no.1 are mentioned in paragraph no.4 of the application.

3. It is stated that Ramdas, whose name figures at Sr.No.1[iii], had expired before filing of the application, and a separate application has been filed being Civil Application No.75/2022 for

bringing on record his legal representative, hence name of Ramdas be deleted from this application.

4. Learned Counsel appearing on behalf of legal heirs of respondent no.1 states that he has no objection for condoning the delay. Hence, Civil Application is allowed. Delay is condoned and legal representatives of deceased respondent no.1 Trimbak whose names are mentioned in paragraph nos. 4 [i, ii and iv] be brought on record as respondent nos. 1[a], 1[b] and 1[c]. Name of Ramdas be deleted from the names of legal heirs. Cause title of appeal memo be amended accordingly. Civil Application is accordingly allowed and disposed of.

.....

Civil Application [CAF] No. 75/2022.

It is stated that Ramdas, one of the legal representative of deceased Trimbak had expired prior to filing of the appeal. This application has been filed for condonation of delay in bringing legal representatives of deceased Ramdas on record.

2. Issue notice to the proposed legal representatives, whose names are specified in

paragraph no.5 of the present application,
returnable on 03.02.2022.

(SMT. ANUJA PRABHUDESSAI, J.)