

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

CIVIL APPLICATION (CAF) NO. 836/2023 IN
FIRST APPEAL NO. 672/2015

VIDC, Through Executive Engineer, Bembla Project Division

Vs

Narayan S/O Ganpat Kawalkar And 3 Others

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

Court's or Judge's Order

Mr Vinay Rathi, counsel h/f for Mr P.B. Patil, counsel for the applicant/
appellant.

Mr A.B. Nakshane, counsel for the respondent Nos. 1 and 2.

Mr K.L.Dharmadhikari, AGP for the respondent Nos. 3 and 4.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 24/03/2023.

1. Heard.
2. The present application is filed for condonation of delay caused in filing application for bringing legal heirs of Respondent No.1 on record.
3. Mr A.B. Nakshane, learned counsel waives service of notice for proposed legal heirs.
4. As per the contention of the appellant, on 06/03/2023 the counsel for the respondent No.1 filed Pursis informing that the respondent No.1-Narayan Kawalkar is expired on 30/12/2019. Thereafter, the appellant got knowledge about the death of the respondent No.1. Hence, this application.
5. Mr K.L.Dharmadhikari, learned AGP has no objection for condonation of delay.

6. In view of the reasons mentioned in the application, delay of 1125 days in filing the application for bringing legal representatives of respondent No.1 is condoned.

Civil application is disposed of.

Civil Application (CAF) No. 837/2023

By this application, the applicant is seeking setting aside abatement order and permission to bring the legal representatives of respondent No.1 on record.

2. Mr A.B. Nakshane, learned counsel waives service of notice on behalf of proposed legal heirs. He has no objection for setting aside the abatement order.

3. Mr K.L.Dharmadhikari, learned AGP for the respondent Nos. 3 and 4 has no objection for the same.

4. In view of the reasons mentioned in the application, applicant is permitted to bring the legal representatives on record.

5. Applicant to carry out amendment within stipulated period.

Civil application is disposed of.

6. Place the matter for final hearing after three weeks.

JUDGE