

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

CIVIL APPLICATION (CAO) NO.619 OF 2020
IN
MISC. CIVIL APPLICATION STAMP NO.8190 OF 2020
IN
FIRST APPEAL STAMP NO.14475 OF 2016

Executive Engineer, Minor Irrigation Division Wardha
Vs.
Ganpatrao Hanumantrao Goulkar and others

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

Court's or Judge's orders

Mr. S. K. Bhoyar, Advocate for appellant.
Mr. P. N. Sharma, Advocate for proposed LR's (a) to 1(d).
Ms. T. Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 29/03/2023

Present application is for condonation of delay which is caused in filing the application for setting aside the order dated 20.09.2016 passed by the Registrar (Judicial).

It is contended by the learned Advocate Mr. Bhoyar for the appellant that inadvertently the office objections were not noted and, therefore, same were not removed. When the Advocate for the appellant has noted the order, there was a delay of 1424 days.

In view of the reasons mentioned in the application, the delay is condoned.

Civil Application is disposed of.

MISC. CIVIL APPLICATION STAMP NO.8190 OF 2020

On removing the office objections within two weeks, the appeal be restored at its original stage.

On failure to remove the office objections, the order passed by the Registrar (Judicial) will survive.

Misc. Civil Application is disposed of.

**Civil Application (CAO) No.620/2020 and
Civil Application (CAO) No.621/2020**

Present application is for condonation of delay in filing the application for setting aside the abatement and bringing the legal heirs on record.

Learned Advocate Mr. P. N. Sharma, waives notice for the proposed legal heirs.

As per contention of the appellant, the appellant was not aware about the death of the respondent No.1, and therefore necessary steps are not taken. Recently, appellant came to know about the death of the respondent No.1, hence appellant has filed the application for condonation of delay. There is a delay of 722 days. In view of the reasons mentioned in the application, delay is condoned.

Abatement order is set aside.

Appellant is permitted to bring the legal heirs on record.

In view of that, Civil Application Nos.620/2020 and 621/2020 are disposed of.

(3)

27.cao.619.2020

The appellant to carry out the amendment
within stipulated period.

(URMILA JOSHI-PHALKE, J.)

Sarkate