



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

CIVIL APPLICATION (CAF) NOS.2481 AND 2482 OF 2021

IN

FIRST APPEAL NO. 775 OF 2016

Kishor s/o Bapurao Deshpande

VS.

The State of Maharashtra and ors.

WITH

FIRST APPEAL NO. 820 OF 2016

Executive Engineer, Lower Wardha Project Division, Wardha

Vs.

Kishor s/o Bapurao Deshpande and Ors.

WITH

FIRST APPEAL NO. 813 OF 2016

Executive Engineer, Lower Wardha Project Division, Wardha

Vs.

Aparnatai d/o Bhaiyyaji Bhagwat and Ors.

WITH

FIRST APPEAL NO. 776 OF 2016

Aparnatai d/o Bhaiyyaji Bhagwat and Ors.

Vs.

The State of Maharashtra through Collector Wardha and ors.

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

Shri C.R. Najbile,, Advocate the appellant.

Ms Trupti Udeshi, AGP for respondent No.1 and 2.

Shri Parth Sajdeo, Advocate h/f Mrs. A.S. Athalye, Advocate for respondent No.3.

CORAM : G.A. SANAP, J.

DATE : OCTOBER 12, 2023.

Learned Advocate for the appellant seeks
leave to withdraw the applications (CAF Nos.2481/21

and 2482/2021.

2. Applications stand disposed of as withdrawn.

CIVIL APPLICATION (CAF) NOS.3164 /2023

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

2. It is stated that the applicants are legal heirs of the deceased appellant who died on 13.05.201. The legal heirs are brought on record within 90 days. The appeal has therefore, abated. The application for setting aside the abatement was not made within time. In the application reasons have been stated for the delay.

3. In view of the reasons stated in the application, I am satisfied that the reasons are sufficient to condone the delay.

4. Accordingly, application is allowed. The delay caused in filing the application for setting aside the abatement is condoned.

CIVIL APPLICATION (CAF) NOS.3163 /2023

1. Heard.

2. This is an application for bringing on record the legal heirs of the deceased-appellant.

3. For the reasons stated in the application, the

application is allowed. Applicant Nos.1 to 4 are allowed to be substituted in place of deceased-appellant as his legal heirs.

4. The necessary correction be made within one week.
5. Civil application stands disposed of.

FIRST APPEAL NO. 775 OF 2016

1. This matter be listed with connected matters after three weeks.

(G. A. SANAP, J.)