

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

CIVIL APPLICATION (CAO) NO.967/2023

IN

CROSS OBJECTION NO.96/2017

IN

FIRST APPEAL NO.818/2013

Vidarbha Irrigation Development Corporation thr. Executive Engineer, Minor
Irrigation Works, Wardha

Vs.

Kawadu s/o Narayan Tandulkar and others

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

Court's or Judge's orders

Shri Vinay Rathi, Advocate h/f Shri P.B. Patil, Advocate for
appellant

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 28/07/2023

The present application is filed for condonation of delay in filing application for bringing legal representatives and setting aside the abatement. There is delay of 1307 days in filing application in cross objection. Cross objector No.1 expired on 16/09/2019. However, due to lack of knowledge, application could not be filed. As right to sue survive, the delay in filing application for setting aside abatement and bringing legal representatives is hereby condoned. As such, application is allowed.

2. The learned Counsel for respondent has no objection.

3. The application stands disposed of.

CIVIL APPLICATION (CAO) NO.968/2023

1. The present application is filed for bringing legal representatives of deceased cross-objector No.1/respondent No.1 in appeal.
2. For the reasons stated in the application, permission is granted to cross-objector No.2 to bring legal representatives of cross objector No.1 on record.
3. Necessary amendment to be carried out within two weeks.
4. The application stands disposed of.

JUDGE*R.S. Sahare*