

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

CIVIL APPLICATION NO. 2181 OF 2022

IN

FIRST APPEAL NO.228 OF 2020

(The Executive Engineer, Purna Medium Project Division, Achalpur Vs. Rajaram s/o Jayram
Pote and ors.)

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

Court's or Judge's Order

Shri T.M. Zaheer, Advocate for the appellant.
Shri R.J. Shinde, Advocate for respondent No.1.
Ms Udeshi, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 28, 2023.

Heard.

2. Present application is filed for condonation of delay which is caused in bringing legal representatives of respondent No.1 on record.

3. As per the contention of the appellant, respondent No.1 has expired on 15/11/2020. Thereafter the Pursis was filed however, delay of 102 days is caused in filing the application.

4. In view of the reasons mentioned in the application and considering that the appellant got knowledge after filing of the Pursis, there is just and reasonable cause for condonation of delay.

5. In view of that delay is condoned.

6. Civil application is disposed of.

CIVIL APPLICATION NO.2182 OF 2022

Heard.

2. Present application is filed for bringing legal representatives of respondent No.1 on record and for setting aside abatement.
3. Shri Shinde, learned Counsel waives notice for the proposed legal heirs of respondent No.1.
4. In view of the reasons mentioned in the application, abatement is set aside.
5. The appellant to bring legal heirs on record.
6. The appellant to carry out necessary amendment within two weeks.
7. Civil application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*