

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

CAF No. 28/2022 In FIRST APPEAL ST.NO.5471/2019

(VIDC and another Vs. Vyankatrao s/o Shyamrao Thakare and another)

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

Court's or Judge's orders

Mr. V.V.Dahat, Advocate h/f Mr. J.B.Kasat, Advocate for
applicants/appellants.
Mr. C.R.Najbile, Advocate for LR's of respondent no.1-s to 1-c.
Mr. T.H.Udhesi, AGP for respondent no.2.

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

DATED : 27-07-2023

1. Heard.
2. Present application is filed by the appellants for condonation of delay, setting aside abatement and bringing legal representatives of respondent no.1 on record.
3. Learned counsel Mr. Najbile appearing for legal representatives of respondent nos. (1-a) to (1-c) has no objection, if the application is allowed. As such, the application is allowed. Delay in filing application for setting aside abatement and bringing legal representatives on record is hereby condoned, abatement is set aside and the appellants are permitted to bring legal representatives on record.
4. Necessary amendment be carried out within two weeks.

CAF No.294/2020

5. Present application is filed for condonation of delay of 195 days.

6. For the reasons stated in paragraphs 3 and 4, delay in filing present application is hereby condoned. Learned counsel Mr. Najbile appearing for legal representatives of respondent no.1 has no objection if the delay is condoned. Delay of 195 days in filing the First Appeal is hereby condoned.

7. The Registry is directed to register the First Appeal.

CAF No. 295/2020

8. Present application is filed for grant of stay.

9. It is informed by learned counsel for the appellants that principal amount is already deposited before the Reference Court. Rs. 25,91,343/- is deposited along with Pursis dated 27.4.2022. As such total decretal amount is deposited.

10. In view thereof, application is allowed.

11. There shall be stay to the effect, operation and execution of the impugned judgment and award passed by the learned Joint Civil Judge, Senior Division, Wardha in LAC No.88/2013 decided on 14.5.2018 during pendency of the First Appeal.

12. The application stands disposed of.

FIRST APPEAL ST.NO.5471/2019

13. List the matter for admission after two weeks

JUDGE

ambulkar