



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

Civil Application (CAF) No. 342 of 2020
in
First Appeal Stamp No. 18486 of 2019

V.I.D.C. through Executive Engineer, Yavatmal Construction Project
Division (Medium Project Division, Yavatmal)

Versus

Shamrao Supaji Andh (Dead) through legal representatives Kondabai @
Rukhama Waman Dukre and others

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

Court's or Judge's Order

Ms. Ashwini S. Athalye, Advocate for the applicant

CORAM : ANIL S. KILOR, J.
DATED : 14th DECEMBER, 2023.

According to the learned counsel appearing for the appellant, the respondent no.2 is the widow of respondent no.1 and even in the judgment of the trial Court, it is observed that she is the only legal heir of the respondent no.1.

2. In that view of the matter, the office objection as regards not bringing the legal heir of the respondent no.1 is hereby dispensed with.

3. This is an application for condonation of delay in filing first appeal. There is a delay of 315 days in filing the first appeal.

4. After going through the application, more particularly, the reasons stated in paragraphs 3 and 4 of the application found to be satisfactory for explaining the delay caused in filing the first appeal.

5. In that view of the matter, the application is allowed. The delay caused in filing the first appeal is hereby condoned. Appeal be registered.

First Appeal No. _____ of 2023.

Heard.

2. **Admit.**

3. Shri Sagar Ashirgade, learned Assistant Government Pleader waives service of notice on behalf of respondent nos. 3 and 4.

4. Call record and proceedings.

[ANIL S. KILOR, J.]