



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

CIVIL APPLICATION (CAF) NO. 719 OF 2024

AND

CIVIL APPLICATION (CAF) NO. 720 OF 2024

IN

FIRST APPEAL NO.266 OF 2014

Vidarbha Irrigation Development Corporation, Wardha

.VS.

Prabhakar Rao Devidas Rao Tayade and others

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

Ms Anjali Agrawal, Adv. h/f. Mr S. K. Bhoyar, Advocate for the appellant
Mr A. A. Zade, Adv. h/f. Mr V. N. Patre, Advocate for the respondent Nos. 1 and 2
Mr G. S. Umale, AGP for respondent Nos.3 and 4

CORAM : G.A. SANAP, J.

DATE : MARCH 04, 2024.

Heard.

2. Civil Application No. 719 of 2024 has been made for condonation of 435 days delay caused in filing the application for setting aside abatement and for bringing legal heirs of respondent No.1 on record and Civil Application No. 720 of 2024 has been made for bringing on record legal heirs of deceased respondent No.1, who died on 11.07.2022. The reasons have been stated in the application.

3. In view of the reasons, Civil Application No. 719 of 2024 is allowed.
4. Delay of 435 days caused in filing application for setting aside abatement and for bringing legal heirs of respondent No.1 on record is set aside.
5. Civil application No. 720 of 2024 is also allowed.
6. The order of abatement is set aside.
7. The appellant is allowed to bring on record the legal heirs of respondent No.1 described in para No. 3 of the Civil Application No. 720 of 2024 on record.
8. The order be complied with within one week.
9. Civil Application No. 751 of 2024 does not survive as such, disposed of.

(G. A. SANAP, J.)

Namrata