



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

First Appeal No. 455 of 2019

h S/o Krishnarao Bhusari ..vs.. State of Maharashtra through the Collector, Wardha and ors.]

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

Court's or Judge's orders

Mrs. M. R. Kavimandan, AGP for respondent nos. 1 and 2
Mr. M. A. Kadu, Advocate for respondent no. 3

CORAM : ANIL L. PANSARE J.

DATED : 18-01-2024

None appears for the appellant.

The appeal is, therefore, dismissed under Rule 17
of Order XLI of the Code of Civil Procedure, 1908.

(Anil L. Pansare, J.)

Later on, Smt. S. W. Deshpande, leaned counsel
for the appellant makes a request to recall the order of
dismissal. She submits that she will diligently attend the
matter. In view of the assurance, order of dismissal has
been recalled.

Civil Application (CAF) No. 133 of 2024

Heard.

By present application, the applicant is seeking to
condone the delay of 559 days in filing application for
setting aside abatement and for bringing legal
representatives of appellant on record. The applicants
are the legal representatives of appellant.

Learned counsel for non-applicant no. 3 and learned Assistant Government Pleader have no serious objection, if the application is allowed considering the fact that the issue involved is as regards compensation of the land that has been acquired.

In view of the above and for the reasons set out in the application, the application is allowed. Delay is condoned. The legal representatives of the appellant are brought on record.

The applicants shall carry out amendment within five working days and serve the amended copy upon the respondents.

The application is disposed of in above terms.

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Learned counsel for the appellants submits that the issue has already been decided by this Court in another appeal. She seeks time to place on record details and copy of the judgment.

Learned counsel for the appellants shall handover copy of judgment to the learned counsel for respondents well in advance.

(Anil L. Pansare, J.)