



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

CIVIL APPLICATION (CAF) NO. 3014 OF 2024
IN
FIRST APPEAL ST. NO. 22247 OF 2023

VIDHARBHA IRRIGATION DEVELOPMENT CORPORATION

Vrs.

DNYANESHWAR RAMKRUSHNA INGLE (DEAD) THROUGH HIS LEGAL HEIRS AND
OTHERS

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

Court's or Judge's Order

Shri Ashwin Bhagwat, Advocate h/f Shri U. A. Gosavi, Advocate for
applicant/appellant.

Shri Paras Rathi, Advocate for respondent Nos.1 to 3.

Ms.Mukta Kavimandan, AGP for respondent Nos.4 and 5.

CORAM: SANJAY A. DESHMUKH, J.
DATE : 18/10/2024.

1. On the oral request of learned advocate for the applicant, applicant is permitted to correct the respondent Nos.2 and 3 as respondent Nos.4 and 5.
2. Amendment be carried out forthwith.
3. Issue notice to the respondents.
4. Shri Rathi, learned advocate waives service of notice for respondent Nos.1 to 3.
5. Ms.Mukta Kavimandan, learned AGP waives service of notice for respondent Nos.4 and 5.
6. Perused the application.
7. Heard learned advocates for both sides.
8. Learned advocate for the applicant pointed out the grounds for condonation of delay.

9. On perusal of grounds, delay is not deliberately caused.

10. The application deserves to be allowed.

11. The application is allowed in the interest of justice. Delay of 35 days caused for filing the appeal is condoned.

12. The application is disposed of.

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13. On the oral request of learned advocate for the applicant, applicant is permitted to correct the respondent Nos.2 and 3 as respondent Nos.4 and 5.

14. Amendment be carried out forthwith.

15. Issue notice to the respondents.

16. Shri Rathi, learned advocate waives service of notice for respondent Nos.1 to 3.

17. Ms.Mukta Kavimandan, learned AGP waives service of notice for respondent Nos.4 and 5.

18. Learned advocate for the applicant submits that the applicant is ready to deposit the amount as per the Judgment of the Special Authority within twelve weeks.

19. Considering the prayer, the application is allowed in terms of Prayer Clause (i) subject to condition that said amount be deposited within twelve weeks.

20. Stand over after twelve weeks.

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21. Heard.

22. **Admit.**

23. Issue notice to the respondents.
24. Shri Rathi, learned advocate waives service of notice for respondent Nos.1 to 3.
25. Ms.Mukta Kavimandan, learned AGP waives service of notice for respondent Nos.4 and 5.
26. Call for Record and Proceedings.
27. Stand over after twelve weeks.

[SANJAY A. DESHMUKH, J.]

Choulwar