



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

CIVIL APPLICATION (CAF) NOS. 114, 115 & 116 OF 2025

IN

FIRST APPEAL NO. 331 OF 2023

MIDC, Amravati

Vs.

Asian Explosive Hamjabhai, Akola and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. M.M. Agnihotri, Advocate for applicant.
Mr. S.C. Mehadia, Advocate for respondent Nos.1 to 7.
Ms. M.R. Kavimandan, AGP for respondent No.8

CORAM : ROHIT W. JOSHI, J.

DATE : 03.02.2025.

Heard.

2. The respondent Nos.4 and 5 have expired.

3. The appellant has filed Civil Application (CAF) No.116/2025 for bringing the legal representatives of respondent Nos.4 & 5 on record. Since, there is a delay, Civil Application (CAF) No.114/2025 is filed seeking condonation of delay likewise Civil Application (CAF) No.115/2025 is filed for setting aside abatement.

4. It is stated that the appellant was initially not aware about the sad demise of respondent Nos.4 and 5 as also the particulars of their legal representatives. Although, the application is opposed, in my considered opinion, since the appeal is registered in the year 2023, the delay has not adversely affected progress of the appeal. Hence, the delay deserves to be condoned in the interest of justice.

5. The application for condonation of delay is allowed and abatement of the appeal against respondent Nos.4 and 5 is set aside. The appellant is permitted to bring the legal representatives of respondent Nos.4 and 5 on record.

6. Mr. Mehadia, learned counsel waives service of notice for legal representatives of respondent Nos.4 and 5.

7. Necessary amendment be carried out within a period of three weeks.

8. Civil applications stand disposed of accordingly.

9. Time for filing of private paper-book is extended by three weeks.

(ROHIT W. JOSHI, J.)