



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

CIVIL APPLICATION (CAF) NO.882 OF 2023 IN
FIRST APPEAL STAMP NO.3080 OF 2023

The Executive Engineer, Bembla Project Division, Yavatmal
Vs.

Rangrao Shyamrao Kadam (dead) through LR's & Ors.

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

Court's or Judge's orders.

Shri T.M. Zaheer, Advocate for applicant.
 Shri V.N. Patre, Advocate for respondent nos.2 & 3.
 Shri H.D. Dubey, AGP for respondent nos.4&5/State.

CORAM : M.W. CHANDWANI, J.
DATE : 10.09.2025.

CAF NOS.2704& 2705/2025

1. By these applications, the appellant is seeking condonation of delay of 315 days in filing the application for setting aside order of dismissal against respondent no.3 and setting aside abatement order against respondent no.3 dated 03.09.2024.

2. The contention is that inadvertently the counsel for the appellant could not mark the matter and therefore remained unattended.

3. Learned counsel for the respondents objected the application.

4. Perused the application. No prejudice will be caused to the respondents if the delay is condoned. For the same

reasons, abatement order passed against respondent no.3 by the learned Registrar (Judicial) dated 03.09.2024 is set aside.

5. Both applications stand disposed of.

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6. Learned counsel for the respondent nos.2 and 3 submits that the respondent no.1 is no more and legal representatives of respondent no.1 are already on record. He further submits that he does not want to file reply.

7. List this matter on 17.09.2025.

JUDGE

Wagh