



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

CIVIL APPLICATION (CAF) NO. 1629 OF 2025

IN

FIRST APPEAL ST NO. 25418 OF 2024

(VIDC, the EE, Medium and Minor Irrigation Divn, Achalpur Vs. Shri Vinayakrao Sheshraoji Diwate
and ors)

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

Court's or Judge's orders

Mr. S.K. Bhoyar, Advocate for appellant.
Mr. V.J. Gokhale, Adv h/f Mr. R.J. Shinde, Advocate for respondent No.1.
Mrs. Dhande, AGP for respondent Nos. 2 and 3.

CORAM : ABHAY J. MANTRI, J.

DATED : 06-08-2025

Heard.

2. The appellant/applicant has filed this application to condone the delay of 663 days caused in filing this appeal, for which learned counsel for respondent No. 1 and learned AGP for respondent Nos. 2 and 3 have given no objection.

3. Having considered the reasons disclosed in the application and the no objection of respondents, the application is allowed, as prayed. Delay is condoned. Appeal to be registered.

CIVIL APPLICATION (CAF) NO. 2807 OF 2025

Heard.

2. Applicants – the legal heirs of respondent No. 1 Vinayak Diwate have filed this application for addition of their names as a legal heir of respondent No.1 who died on 07.08.2023 leaving them behind and prayed for issuance of the direction to appellant to add them as a party respondent being legal heirs of respondent No.1 for which learned counsel for appellant has given no objection.

3. Having considered the reasons disclosed in the application and the fact that the appellant is ready to add them as a party, the application is allowed. The appellant is directed to bring the names of

the legal heirs of respondent No.1 on record by carrying out an amendment. The copy of the amended appeal memo shall be served on the legal heirs of respondent No.1 within two weeks thereafter. The application is disposed of.

FIRST APPEAL ST NO. 25418 OF 2024

Heard.

2. Having considered the grounds raised in the appeal memo, the appeal is **'Admitted'**.
3. Issue notice to respondents, returnable in six weeks.
4. Mr. Bhoyar, learned counsel, waives notice for respondent No.1.
5. Learned AGP Mrs. Dhande waives notice for respondent Nos. 2 and 3/State.
6. Call for record and proceedings.
7. List the matter after receipt of the record and proceedings.

(ABHAY J. MANTRI, J.)

Belkhede