



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

CIVIL APPLICATION (F) NO. 2490 OF 2025

IN

FIRST APPEAL NO. 934 OF 2013

(Executive Engineer (V.I.D.C.) Lower Wardha Project Wardha vs. Annasaheb Mahadeorao
Thakre and others)

*Office Notes, Office Memorandum of Coram,
appearances, Court's orders of the directions,
and Registrar's orders.*

Court's or Judge's order

Mr. U.A.Gosavi, Advocate for appellant.

Mr. M.R.Johrapurkar, Advocate for respondents No.1(a) to 1(d),
2(a), 2(b), 2(c), 7 and 8.

Mrs.Hemlata Dhande, AGP for respondents No.9 and 10

CORAM : ABHAY J. MANTRI, J.

DATE : JULY 16, 2025

1) The applicant/appellant has moved this application to condone the delay caused in filing the application for setting aside abatement order and bringing legal heirs of deceased respondents No.3 to 6 on record, for which learned counsel Mr.Johrapurkar, appearing for the respondents No.1(a) to 1(d), 2(a), 2(b), 2(c), 7 and 8 and learned Assistant Government Pleader Mrs.Dhande, appearing for respondents No.9 and 10 have given no objection.

2) Having considered the reasons disclosed in the application and no objection given by the learned counsel for the respondents, as well as the fact that during the pendency of the appeal, respondents No.3 to 6 expired, I deem it appropriate to allow the application as prayed.

3) The delay is hereby condoned. The abatement orders against respondents Nos.3 to 6 are set aside. The

applicant/appellant is permitted to bring the legal heirs of deceased respondents No.3 to 6 on record in the appeal memo, as well as in the paper book. The amendment shall be carried out within a period of two weeks and a copy of the amended appeal memo shall be supplied to the other side.

4) Learned counsel Mr.Johrarpurkar waives service of notice on behalf of the legal heirs of deceased respondents Nos.3 to 6.

5) List the matter on 04/08/2025.

(ABHAY J. MANTRI, J.)

KOLHE