

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 2058 OF 2011
IN
FIRST APPEAL (ST) NO. 2250 OF 2011**

The State of Maharashtra,
through Collector, Osmanabad.

...Appellant

versus

Vitthal Genu Chavan
and another.

...Respondents

.....
Mr. R.P. Phatke, A.G.P. for applicant.
.....

CORAM : N.W. SAMBRE, J.

DATE : 27TH MARCH, 2015

ORAL ORDER :

. This is an application seeking condonation of delay of 983 days caused in preferring present first appeal, which is against the award, delivered by the Reference Court under Section 18 of the Land Acquisition Act.

2. The appellant State claimed that, the judgment in question was passed on 17/01/2008 and Law Officer in the office of Government Pleader drafted the memo of appeal on 28/03/2008. However, the applicant took almost two years thereafter for arranging Court fees and six months for arranging certified copies.

3. Repeated communications issued by the office of the Government Pleader remained unattended at the behest of appellant herein i.e. communications dated 05/05/2008, 23/09/2008, 04/06/2009 and 19/01/2010.

4. Even otherwise, perusal of the judgment reflects that, the appellant herein has failed to adduce any evidence before the Reference Court. In view thereof, no sufficient cause is established in support of condonation of delay. The Civil Application for condonation of delay stands rejected.

5. In view thereof, the registration of the First Appeal stands rejected.

6. Consequently, Civil Application No. 2059 of 2011 for stay does not survive, same stands rejected.

[N.W. SAMBRE, J.]