

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

CIVIL APPLICATION NO.1805 OF 2013
IN
FIRST APPEAL ST. NO.33258 OF 2012

The State of Maharashtra. ...Applicant.
vs.
Shri.H.R.Mestry Malgaonkar and ors. ...Respondents.

Mr. A.R.Patil , AGP. for the Applicant.
Mr. G.H. Keluskar for R.No.1A,1C and respondent No.3.

CORAM : K.K.TATED, J.
DATE : 23/1/2015

PC:

Heard learned Counsel for the parties. This application is preferred by State of Maharashtra for condonation of 92 days delay in filing the first appeal challenging the Judgment and Award dated 11/5/2012 passed by Reference Court in Land Reference No.203 of 1997.

2) Learned Counsel Mr. Keluskar appearing on behalf of the respondents claimants vehemently opposed the civil application. He submits that the applicant has not shown sufficient cause for condonation of delay. There is no substance in the present application.

3) Considering the submissions made by the learned Counsel for the applicant and the averments made in the civil application, I am satisfied that the applicant has made out the case for allowing the civil application . Hence, following order.

a) Civil Application is allowed. Delay in filing the first appeal is condoned.

Civil Application is disposed of.

(K.K. TATED, J.)