

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

CIVIL APPLICATION (CAF) NO.531 OF 2014

IN

FIRST APPEAL STAMP NO.2045 OF 2014

(VIDC, through Executive Engineer ..vs.. Bhimrao Sitaram Tokse and others)

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

Court's or Judge's orders

CORAM : Z.A. HAQ, J.

DATED : 25-02-2015

That reply is not filed by the non-applicant No.1. Shri R.K. Maheshwari, the learned Advocate holding for Shri A. Parchure for the non-applicant No.1 has opposed the application praying for condonation of delay in filing the appeal, relying on the judgment given by the Hon'ble Supreme Court in the case of *State of Uttar Pradesh through Executive Engineer and Another .vs. Amar Nath Yadav* reported in (2014)2 SCC 422.

Considering the peculiar facts of the present case and the reasons given in the application, the submissions filed on behalf of the applicant on 26-09-2014 and the additional submissions filed on behalf of the applicant on 29-11-2014, the delay of 551 days in filing the appeal is condoned, subject to costs quantified at Rs.2,000/-, to be paid by the applicant to the non-applicant No.1 within four weeks.

The civil application is allowed.

JUDGE

pma