

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

CIVIL APPLICATION (CAF) NO. 469 OF 2015
IN/AND
FIRST APPEAL STAMP NO. 22069 OF 2014
(Uttam Baliram Bhagat Vs. The State of Maharashtra & others)

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

Court's or Judge's orders

Shri N. B. Kalwaghe, Advocate for the applicant/appellant.
A.G.P. for respondents No. 1 and 2.
Shri Jagtap, Advocate for respondent No.3.

CORAM : B. P. DHARMADHIKARI
AND S. B. SHUKRE, JJ.
DATED : 29 APRIL, 2015

C.A.F. NO. 469/2015 :

Advocate Shri Kalwaghe seeks condonation of delay of 145 days in filing the first appeal under Section 54 of the Land Acquisition Act, 1894.

Without prejudice to the reasons given on affidavit in support of prayer for condonation of delay, Advocate Shri Kalwaghe points out that respondent No.3-acquiring Authority has filed first appeal stamp No.20720 of 2014 against the very same judgment and as that appeal was delayed, civil application (CAF) No.3514 of 2014 was filed for condoning delay of about 100 days. Said delay has been condoned by this Court on 24/3/2015. He points out that said appeal preferred by the department is yet to be admitted.

Advocate Shri Jagtap for respondent No.3-
acquiring body and learned A.G.P. for respondents No. 1
and 2 do not dispute this development.

In this situation, as first appeal filed by
respondent No.3 is yet to be admitted, we condone delay
of 145 days in filing the first appeal.

Office to register the first appeal.

F.A. ST. NO. 22069/2014 :

Appeal is taken up with consent of the parties.

By separate order passed today, delay has
been condoned.

Admit.

Advocate Shri Jagtap waives notice for
respondent No.3.

Learned A.G.P. waives notice for respondents
No. 1 and 2.

To be heard with first appeal stamp No.20720
of 2014 (*Executive Engineer, Minor Irrigation Vs. Uttam
Baliram Bhagat & others*).

JUDGE

JUDGE