

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Civil Application [CAO] No. 820 of 2016
IN
Misc. Civil Application St. No. 7178 of 2016
IN
First Appeal St. No. 14594 of 2010
[VIDC Vs. Uttamrao Narayan Pohankar & others]

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

Court's or Judge's orders

Mr. A.B. Patil, Adv., for the appellant.
Mr. Kadu, AGP for respondent nos. 2 and 3.

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CORAM : R.K. DESHPANDE, J.

DATE : 29th April, 2016

Heard the learned counsel for the appellant and the learned Asstt. Govt. Pleader for respondent nos. 2 and 3.

There is a delay of 1995 days caused in filing a Revision against the order dated 5th October, 2010, passed by the Registrar [Judicial] of this Court dismissing the matter in default for non-compliance of office objections. After going through the averments made in both the applications, I am satisfied that a sufficient case is made out for condonation of delay and a case is made out for restoration. Hence, both these applications are

allowed. Civil Application St. No. 14598 of 2010 is restored.

Civil Appln. St. No.14598/10 :

By this Application, the appellant seeks condonation of delay of 243 days caused in filing an appeal under Section 54 of the Land Acquisition Act.

It is informed by the learned counsel for the appellant that the controversy involved in the First Appeal itself is covered by the decision of this Court in the case of **Vidarbha Irrigation Devpt. Corporation, Yavatmal Vs. Anjali Sharad Ballal & others** [2013 (2) Mh.L.J. 456]. The appeal filed by the Vidarbha Irrigation Development Corporation has been dismissed..

In view of this, the Civil Application for condonation of 243 days' delay caused in filing an appeal does not survive and the rate of Rs. 1,38,000-00 per hectare granted by the Reference Court does not call for interference. Civil Application is dismissed.

Judge

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