

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

CIVIL APPLICATION (CAF) NO.1622 OF 2017

IN

FIRST APPEAL (STAMP) NO.3257 OF 2017

(The Executive Engineer, Bembla Project Division, Yavatmal ..vs.. Ambadas s/o Bapurao Chaudhari
and others)

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

Court's or Judge's orders

Shri P.B. Patil, Advocate for the appellant,
Mrs. Mrunal Naik, AGP for respondent Nos.3 and 4.

CORAM : N.W. SAMBRE, J.

DATED : 19-04-2017

This is an application seeking condonation of delay of 1945 days in preferring the appeal under Section 54 of the Land Acquisition Act by the appellant/acquiring body. The delay is sought to be substantiated by Shri P.B. Patil, learned Counsel for the appellant on the administrative ground. He would urge that there was insufficient staff to deal with the issue as regards preferring of an appeal under Section 54 of the Land Acquisition Act and around 2100 cases were decided in relation to the same project. He would then urge that for taking out the papers and making same available to the Law Officer for filing the appeal substantial time was lapsed.

Having considered the cause cited in support of condonation of delay, I hardly see any *bona fides* or

convincing reasons to accept the cause cited in support of the plea for condonation of delay.

The insufficient staff in the office of the appellant will be a matter in between the department concerned and the State Government. The claimant cannot put to loss because of the lethargic approach on the part of the appellant. In my view, no *bona fide* reasons are noticed. The application stands dismissed. Consequently the appeal stands dismissed.

JUDGE

adgokar