

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

CIVIL APPLICATION NO.740 OF 2017
IN
FIRST APPEAL ST.NO.19052 OF 2016

Executive Engineer, Medium
Project Division, Yavatmal,
Taluka and District Yavatmal

.. Applicant

Versus

Narendra Ramchandra Bhagat
and ors.

.. Respondents

Mr S.S. Godbole and A.M. Kukday, Advocates for applicant
Mr J.A. Malnas, Advocate for respondent no.1
Mrs M.S. Naik, A.G.P. for respondents no.2 and 3

CORAM : N.W. SAMBRE, J.

DATE : 26th April 2017

PER COURT

1. The application is opposed by land owners based on the Division Bench judgment of this Court dated 23rd March 2015 passed in C.A.F. No.59/2015 in First Appeal St.No.21169 of 2014, which is produced along with reply.

2. Learned Assistant Government Pleader and learned Counsel for acquiring body placed reliance upon the order passed in Civil Application (F) No.1234 of 2015 in First Appeal St.No.3611 of 2015 so as to submit that in the appeal preferred by the State Government against the wife of the land owner in the present case, already delay was condoned.

3. In my opinion, having heard the learned Counsel for the appellant, reasons cited for condonation of delay, the delay stands condoned subject to payment of costs of Rs.5,000/- to be paid to land owners within a period of eight weeks from today.

4. Civil Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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