

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

CAF No.130/2016 in FA St.No.22197/2015

Superintendent Engineer, Tapi Khore Vikas Patbandhare Mahamandal Jalgaon,
and another

Vs.

Manoj Shankar Kaushyalye and another.

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

—
Court's or Judge's orders.

Shri A.B.Kale, Adv.

for respondent no.1.

Ms. R.Kalia, AGP for respondent no. 2.

CORAM : S. B. SHUKRE, J.

DATE : SEPTEMBER 19, 2017

Heard Mrs. Vaishali D.Jadhav-Patil, Adv.
For applicants, Shri A.B.Kale, Adv. for respondent
no.1 and Ms. R.Kalia, AGP for respondent no. 2.

This application has been opposed by
learned counsel for the respondent no.1. I find, on
perusal of the application, that there is an
explanation given for the delay of 27 days caused in
filing appeal, which appears to be reasonable in the
facts and circumstances of the case and, therefore,
constituting sufficient cause to enable this Court to
allow the application. Even otherwise, I do not find
any mala fides on the part of the applicants.

The application is, therefore, allowed. The delay caused in filing appeal stands condoned. The appeal be registered to file.

The application stands disposed of.

First Appeal St.No. 22197/2017

Heard.

Admit.

Shri A.B.Kale, learned counsel waives notice for respondent no.1 on merits and Ms.R.Kalia, learned AGP waives service for respondent no. 2 on merits.

Call for R and P.

Pursis filed by learned counsel for appellants is taken on record, which shows that entire decretal amount has been deposited in Reference Court. The same is marked "X" for identification.

JUDGE

Andurkar..