

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

CIVIL APPLICATION NO.3710/2016 IN
FIRST APPEAL STAMP NO.14893/2016

Executive Engineer, Minor Irrigation Division, Wardha, Dist. Wardha ..vs..
Mahadeo s/o Sitaram Raut and others

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

Court's or Judge's orders.

Mr. Bhoyar, Advocate for applicant.
Mr. Najbale, Advocate for non applicant nos. 1(a) to 1(d)
Mr. Damle, A.G.P. for non applicant nos.2 and 3-State.

CORAM : V.M. DESHPANDE, J.
DATED : AUGUST 6, 2018

1. This is an application for condonation of delay in filing the first appeal.

2. Heard Mr. Bhoyar, learned counsel for the applicant, Mr. Najbale, learned counsel for non applicant nos. 1 (a) to 1 (d) and Mr. Damle, learned A.G.P. for non applicant nos. 2 and 3.

3. The delay is of 191 days for filing the appeal. I have heard learned counsel for the applicant. Mr. Najbale, learned counsel for non applicant nos. 1 (a) to 1 (d) vehemently opposed the application for condonation of delay. However, for the reasons stated in the application, the application is allowed subject to

payment of costs of Rs.1,000/- (Rs. One Thousand Only) by the applicant to non applicant nos. 1 (a) to 1 (d), within a period of one week from today. The amount of costs shall be paid to Mr.Najbile, learned counsel for non applicant nos. 1 (a) to 1 (d), who shall give discharge for and on behalf of non applicant nos. 1 (a) to 1 (d).

4. With this, the application is allowed and disposed of. Registry is directed to register the appeal.

JUDGE

kahale