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

CIVIL APPLICATION (CAF) NO.957/2018
IN
FIRST APPEAL ST. NO.16624/2017

The Executive Engineer Chandrapur Medium Project Division No.1 Civil Lines, Chandrapur – Pin 442 401
...Versus...
Sitabai w/o Bhanudas Mankar 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 J.J. Alkari, Counsel for applicant
Shri P.R. Karekar, Counsel for respondent no.1
Shri S.B. Bissa, AGP for respondent nos.2 and 3

CORAM : ARUN D. UPADHYE, J.
DATE : 23/10/2018

Heard.

There is a delay of 2194 days caused in filing the first appeal.

The learned Counsel for the applicant submitted the delay is caused because the applicant had filed application for correction in the award and the delay is not intentional.

The learned Counsel for the respondent no.1, however, objected for condoning the delay and submitted that the reasons given by the applicant are not sufficient for condoning the delay and therefore, the civil application be

rejected. The learned Assistant Government Pleader has objected for condoning the delay.

Having heard the learned Counsel for the parties and having gone through the contents of the application, I am of the view that the delay caused in filing the first appeal should be condoned in the interest of justice. Hence, the delay caused in filing the first appeal is condoned. The civil application is allowed.

FIRST APPEAL ST. NO.16624/2017

Heard.

Issue notice for final disposal of the matter, returnable on 04/12/2018.

Learned Counsel Shri P.R. Karekar waives service of notice for the respondent no.1 and learned Assistant Government Pleader Shri S.B. Bissa waives service of notice for the respondent nos.2 and 3.

Call for record and proceedings.

JUDGE

Wadkar, P.S.