

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

CIVIL APPLICATION (O) NO.1818/2018 IN M.C.A.(ST.) NO.16934/2018
IN F. A. ST.NO.1304/2018 (R.C.550/2018)

V.I.D.C. thr. Its Executive Engineer, Bembla Project Division, Yavatmal and
ors. .vs. Digambar Mahadeo Raut (dead) thr. LRs. And ors.

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

Court's or Judge's orders.

Mr. M. A. Kadu, Advocate for applicants.

Mr. S.B. Bissa, A.G.P. for non applicant nos. 6 and 7.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 9, 2018

Appellant-VIDC has filed the present appeal before this Court challenging the judgment and decree passed by learned Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.47/2004. The said appeal was barred by limitation. Therefore, an application for condonation of delay vide Civil Application Stamp No.1307/2018 was filed. The appellants could not remove the office objections. Consequently, the stamp was refused. Therefore, the appellants have filed the application for restoration of the same. Since, there is a delay in moving the said application, the present application for condonation of delay is moved.

Since, the appeal which was on stamp was rejected even prior to issuance of notice to the original claimants, notices on this application are dispensed with insofar as non applicant nos.1 to 5 are concerned. Mr. Bissa, learned A.G.P. appears for non applicant nos. 6 and 7.

For the reasons stated in the applications, both the applications are allowed. The delay of 24 days is condoned. First Appeal Stamp No.1304/2018 is restored to the file. The applicants shall remove office objections within two weeks from today.

The applications stand disposed of.

JUDGE

kahale