

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1150/2016
WITH
FIRST APPEAL (ST)NO.9806/2015

The Executive Engg.
Minor Irrigation Division,
Sangli District-Sangli ... Applicant.
Vs.
Dandappa M. Biradar & Ors....Claimants/Respondent.

None for applicant.

Mrs. Tanaya Goswami AGP for respondent nos.2 and 3.

CORAM : K.K.TATED, J.
DATED : JULY 8, 2019.

P.C.

None for applicant.

2. AGP Mrs.Tanaya Goswami for respondent nos. 2 and 3.

3. As no one appeared on behalf of applicant, hence,
dismissed for non prosecution.

4 In second session, the learned counsel for the
Applicant Mr. V. S. Tadake i/b D. D. Shinde mentioned the

matter.

5 Considering the submissions made by the learned counsel for the Applicant earlier order is recalled. The matter is restored to file for hearing on merits.

6 By this Civil Application, the Applicant acquiring body is seeking condonation of 102 days delay in filing the First Appeal challenging the judgment and award dated 01.09.2014 passed by the 2nd Joint Civil Judge, Senior Division, Sangli in LAR No.19/2008.

7 Though other Respondents are duly served, none appeared for them when the matter was called out.

8 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, I am satisfied that the Applicant has made out a case for allowing the present Civil Application.

9 Hence, the following order:

A) The Civil Application is allowed in terms of prayer clause (a), which reads thus:

(a) That this Hon'ble Court be pleased to condone 102 days delay in filing above mentioned First Appeal against the Judgment and Award dated 1.9.2014 passed by the learned 2nd Joint Civil Judge, Senior Division, in LAR No.19/2008.

B) Civil application stands disposed off accordingly.

C) No order as to costs.

(K.K.TATED, J.)

