

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 471 OF 2019
WITH
FIRST APPEAL STAMP NO. 23838 OF 2017

The State of Maharashtra Applicant
V/s.
Late Shri Kamlya Undir Bhoir
(since deceased through legal heirs
Shri Ghanashyam Kamlya Bhoir & Ors.) Respondents
.....
None for Applicant.
.....

CORAM : K.K.TATED, J.
DATED : 11th October, 2019

P.C.

1. None for the parties.
2. Today, the matter is shown on board for speaking to minutes of order dated 25th June 2019. In cause title instead of 'FIRST APPEAL STAMP No. 23830 of 2017', it should be '**FIRST APPEAL STAMP No.23838 of 2017**'. The said correction to be carried out.
3. Corrected order reads thus :

“ IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 471 OF 2019
IN
FIRST APPEAL (ST.) NO. 23838 OF 2017

The State of Maharashtra ... Applicant
V/s.
Late Shri Kamlya Undir Bhoir
(since deceased through legal heirs)
Shri Ghanashyam Kamlya Bhoir & Ors. ... Respondents
...
Mrs. Tanaya Goswami, AGP for the Applicant.
Mr. Hemant Ghadigoankar for the Respondent Nos. 1 to 7.
...

CORAM : K.K.TATED, J.
DATE : 25th June, 2019

P.C. :

Heard learned Counsel for the parties.

2. By this Civil Application, ApplicantState of Maharashtra is seeking condonation of delay of 142 days in filing the First Appeal challenging the Judgment and Award dated 28th November 2016 passed by the learned Civil Judge, Senior Division, Alibaug at Raigad in L.A.R. No. 172 of 2016.

3. Considering the submissions made by the learned Counsel for the Applicant and averments made in Civil Application, I am satisfied that the Applicant has made out a case for allowing this Civil Application. Hence, following order is passed:

- i) Civil Application is allowed in terms of prayer clause (b),
which reads thus:

“ (b) this Hon'ble Court be pleased to condone the delay of 142 days in filing the above mentioned First Appeal against the Judgment and Award dated 28.01.2016 passed by the Learned Civil Judge, Senior Division, Alibag, Raigad, in L.A.R. No. 172 of 2016”

- ii) Civil Application disposed off accordingly.
- iii) No order as to costs.”

(K.K.TATED, J.)