

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

CIVIL APPLICATION (CAF) NO.79 OF 2016
IN
FIRST APPEAL ST. NO.21894 OF 2015

Executive Engineer, Minor Irrigation Department, Wardha

-vs-

Shankarrao s/o Marotrao Wankhede (Dead) Thr. Legal Heirs Rekha w/o Vasant Rao Khunkar
and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri N. M. Gaidhane, Advocate for appellant.
Shri B. M. Kharkate, Advocate for respondent No.1.
Ms H. N. Prabhu, AGP for respondent Nos.2 and 3.

CORAM : A.S.CHANDURKAR, J.
DATE : February 04, 2019

Civil Application No.208 of 2019

Perused contents of the application. The same is allowed in terms of prayer clause (ii). Correction be carried out accordingly.

Civil Application is disposed of.

Civil Application No.79 of 2016

Prayer is to condone delay in filing the first appeal. The reasons for cause of delay are mentioned in paragraphs 2 to 4 of the civil application.

The prayer is opposed by the learned counsel for the claimants by filing reply. It is stated that the reasons mentioned are not sufficient to condone the delay.

Considering the statements on oath by the

applicant which appear to be acceptable the delay in filing the appeal stands condoned.

Civil Application is allowed and disposed of.

First Appeal St. No.21894 of 2015

Heard.

Admit.

Call for record and proceedings.

Shri B. M. Kharkate, learned counsel waives notice for legal heirs of respondent No.1. Learned Assistant Government Pleader waives notice for respondent Nos.2 and 3.

JUDGE