

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

CIVIL APPLICATION (CAF) NO.1398/2021 IN FA ST.NO.9912/2020
The Executive Engineer, Minor Irrigation Division, Amravati, Tahsil and
District Amravati Now Executive Engineer, Amravati Medium Project
Division, Amravati

..vs..

Shri Satish Arvind Tatte and ors

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

Court's or Judge's Order

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Shri Nikhil Waghmare, Counsel for the Applicant.
Shri D.P.Dapurkar, Counsel for Non-applicant No.1.
Ms T.H.Udeshi, AGP for Non-applicant Nos.2 & 3.

CORAM : V.M.DESHPANDE, J.
DATED : OCTOBER 20, 2021

1. Heard.
2. This is an application for condonation of delay in filing a first appeal to challenge judgment and decree dated 11.2.2020 passed by learned Joint Civil Judge Senior Division, Amravati in Land Acquisition Case No.40/2011. Delay is of 127 days.
3. On 26.7.2021, Notices on this application were issued. In pursuance to said Notices, learned counsel Shri D.P.Dapurkar filed his Vakalatnama for non-applicant No.1. Learned Assistant Government Pleader Ms T.H.Udeshi is representing non-applicant Nos.2 and 3/State of Maharashtra and the Special Land Acquisition Officer.
4. Though learned counsel Shri D.P.Dapurkar filed

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his Vakalatnama, he chose not to remain present before the Court when this matter was called out. There is no request on his behalf for adjournment.

5. I have heard learned counsel Shri Nikhil Waghmare for the applicant and learned Additional Public Prosecutor Ms T.H.Udeshi for the State and the Special Land Acquisition Officer. Also, gone through contents of this application. I am satisfied that the applicant has made out a case for condonation of delay. Hence, I pass following order:

ORDER

- (1) The civil application is allowed.
- (2) Delay of 127 days in preferring the appeal stands condoned.
- (3) Office is directed to register the appeal.

The civil application stands disposed of accordingly.

JUDGE

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