

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

CIVIL APPLICATION NO. 3433 OF 2018
IN
FIRST APPEAL (ST.) NO. 20398 OF 2017
(Nandkumar Deobarao Naik Vs. The State of Mah. & ors.)

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

Court's or Judge's Order

Shri S.S. Nemade, Advocate for the appellant.
Ms. Mallika Babhulkar, Advocate h/f Shri M.A. Kadu, Advocate
for respondent No.2.
Ms. H.N. Jaipurkar, A.G.P. for respondent Nos.1 and 3

CORAM:- PUSHPA V. GANEDIWALA, J.
DATED :- SEPTEMBER 29, 2021.

Heard.

1 By way of this application, the applicant/claimant is seeking condonation of delay caused in filing of first appeal against the judgment and award dated 01/02/2014 passed by the Civil Judge, Senior Division, Pusad in L.A.C. No.86/2004.

2. Learned counsel for the claimant/applicant states that in the similarly situated matters, this Court condoned the delay. Learned counsel further relied on the judgment in the case of *Imratlal and ors. Vs. Land Acquisition Collector and ors. 2014 (9) Scale 446* in support of his submission.

3. I have perused the contents in the application.

4. Ms. Babhulkar, learned counsel holding for Shri M.A. Kadu, learned counsel for the respondent No.2 strongly opposed the application for want of sufficient reasons. On due consideration and since the applicant is claiming parity, I am inclined to condone the delay. The delay is condoned.

5. The application is allowed.

6. Appeal be registered.

FIRST APPEAL (ST.) NO. 20398 OF 2017

Heard.

2. **Admit**

3. Ms. Babhulkar, learned counsel for respondent No.2 and Ms. H.N. Jaipurkar learned Assistant Government Pleader for respondent Nos.1 and 3/State, waive notice.

4. Call for R. & P.

JUDGE