

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

**Civil Application (CAF) No.4313 of 2019**  
**IN**  
**First Appeal No.1342 of 2019**

Vithoba s/o Mangaru Barai **Vs.** The State of Maharashtra through Secretary, Irrigation  
Department, Mantralaya, Mumbai & Ors.

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

Court's or Judge's Orders

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Shri A.D. Dangore, Advocate for the Appellant.  
Shri M.A. Kadu, Advocate for Respondent Nos.2 and 3.  
Ms. Shamshi Haider, AGP for Respondent Nos.1, 4 and 5.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.**  
**DATE : 12<sup>th</sup> JANUARY, 2021.**

By this application, the applicant has sought to condone the delay of 72 days in filing the appeal against the judgment and order dated 8<sup>th</sup> September, 2017 passed by the Reference Court in L.A.C. No.31/2007.

2. Considering the reasons stated in paragraphs 3 and 4 of the application, which in my considered view constitute sufficient cause, the application is allowed. Delay is condoned. Appeal be registered subject to removal of office objections, if any.

3. The delay condonation application stands disposed of.

4. Ms. Shamshi Haider, learned AGP waives service of notice on behalf of respondent Nos.1, 4 and 5 and Shri M.A. Kadu, learned counsel waives service of notice on behalf of respondent Nos.2 and 3.

5. The matter be listed for admission after **four weeks**.

(SMT. ANUJA PRABHUDESSAI, J.)