

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

Interim Application No. 3009 of 2020
In
First Appeal (st) No. 4362 of 2020

The Executive Engineer
Kanher Canal Division NO.2

Dist. Satara

V/s.

Shri Aananda Rajara Shinde & or.

... Applicant

... Respondents

Ms. Kavita P. Shinde a/w Mr. Y.G.Thorat i/b. Mr. D.D.Shinde for the applicant.

Ms. Tanaya Goswami, AGP for the State.

CORAM : SHRIKANT D. KULKARNI,J.

20th July 2022

P.C.

This is an application for condonation of delay moved by the applicant-acquiring body by taking aid of Section 5 of Limitation Act, 1963.

2. Heard Ms. Kavita Shinde i/b Mr.D.D.Shinde, learned Counsel for the applicant and Ms. Goswami, learned AGP for respondent Nos.5

and 6. Respondent Nos. 1 to 4-original claimants though duly served remained absent when the matter is called out.

3. It is revealed that there is delay of one year and 108 days in preferring the appeal.

4. For the reasons stated in the application for condonation of delay, more particularly, Paragraph Nos. 6 to 9, the delay needs to be condoned in the interest of justice. Hence, I pass following order.

ORDER

- i) Application is hereby allowed in terms of prayer clause 10(a).
- ii) The Registry is directed to make scrutiny of matter as per procedure and thereafter it be numbered and place it before appropriate Court.
- iii) Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J)