

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

CIVIL APPLICATION (CAF) NO.269/2021

IN

FIRST APPEAL ST. NO.311/2020

Vidarbha Irrigation Development Corporation through Executive Engineer,
Bembla Canal Project, Yavatmal

...Versus...

Ashabai Dnyaneshwar Turake and others

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

Court's or Judge's orders

Shri J.J. Chandurkar, Advocate for applicant
Ms Achala Kashikar, Advocate h/f Shri PM.Pande, Advocate for respondent no.1
Mrs. Mayuri Deshmukh, AGP for respondent nos.2 and 3

CORAM : AVINASH G. GHAROTE, J.

DATE : 22/11/2022

1. The civil application seeks condonation of delay of 758 days in filing the first appeal, challenging the judgment of the Reference Court.

2. Learned Assistant Government Pleader for the respondent nos.2 and 3 has no objection. Though learned counsel appearing for the respondent no.1 vehemently objects, considering the reasons given and accepting them, the delay in filing the first appeal is condoned. The civil application is allowed. Office to register the appeal.

FIRST APPEAL ST. NO.311/2020

1. **ADMIT.**
2. Advocate Ms Kashikar holding for Advocate Shri P.M. Pande waives service of notice for the respondent no.1 on merits. Learned Assistant Government Pleader Mrs. Deshmukh waives service of notice for the respondent nos.2 and 3 on merits.
3. Call record and proceedings.
4. The appellant to file a private paper-book within a period of two weeks from today.

CIVIL APPLICATION (CAF) NO.270/2021

1. Heard.
2. The civil application is allowed subject to the condition of entire amount of compensation being deposited in this Court within a period of two weeks from today.

(AVINASH G. GHAROTE, J.)

Wadkar