

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

CIVIL APPLICATION (CAF) NO.2212/2021

IN

FIRST APPEAL ST. NO.679/2021

Vidarbha Irrigation Development Corporation through its Executive Engineer, Yavatmal
Vs.

Suresh Ramji Rathod and others

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

Court's or Judge's orders

Ms Anjali Agrawal, Adv. h/f Ms A.S. Athalye, Adv. for appellant
Shri R.J. Shinde, Advocate for respondent No.1
Ms H.N. Jaipurkar, AGP for respondent Nos.2 and 3

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 03/08/2022

Heard.

2. The present application is filed for condonation of delay in filing the First Appeal. The delay is of 579 days.

3. Learned Counsel for respondent vehemently opposed the application.

4. Considering the reasons stated in paragraph Nos.3 and 4 of the application, I am satisfied that there is no intentional delay and due to administrative procedure the delay has been caused.

5. Delay in filing First Appeal is hereby condoned.

6. Civil Application is allowed and disposed of.

7. Registry is directed to register the First Appeal.

CIVIL APPLICATION (CAF) NO.2213/2021

The learned Counsel for appellant further submits that the appellant will deposit the entire decretal amount within two weeks. In view thereof, the application is allowed.

2. The stay is granted to the effect and operation of the impugned judgment in LAC No.32/2008, during the pendency of this application subject to deposit of entire decretal amount within two weeks.

FIRST APPEAL ST. NO.679/2021

Heard.

2. **Admit.**

3. Call for the record and proceedings.

4. Shri R.J. Shinde, learned Counsel waives notice for respondent No.1.

5. Ms. H.N. Jaipurkar, learned AGP waives notice for respondent Nos.2 and 3.

JUDGE

R.S. Sahare