

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

Civil Application (F) No.1052/2018 in First Appeal St No.1914/2018

Executive Engineer, Minor Irrigation Division, Washim V Vitthal Tanpure and others

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

Court's or Judge's Orders

Mr. Abhijit Parihar, Advocate h/f Mr. B.N. Jaipurkar, Advocate for the applicant.

Mr. K.S. Narwade, Advocate for non-applicant no.1.

Ms. T.H. Udeshi, AGP for non-applicants no.2 and 3.

CORAM : ABHAY AHUJA, J.

DATE : 14-09-2022

Heard.

2. By this application, the applicant is seeking condonation of delay of 271 days in filing the appeal against the judgment and award dated 05-01-2017 passed by the Civil Judge, Senior Division, Link Court, Mehkar in Land Acquisition Case No.76/2010. The learned Counsel for the applicant draws attention of this Court to paragraphs 2 and 3 of the application to explain the delay.

3. The learned Counsel for the sole respondent has no objection if the delay is condoned, as the First Appeal No.1032/2017 filed by his clients has already been admitted on 13-09-2017. Having heard the learned Counsel for the applicants and having perused the application, this Court is satisfied that there is sufficient cause made out for condonation of delay.

4. The delay of 271 days in filing this appeal is condoned.
5. The Registry is directed to register the First Appeal.
6. Application stands disposed.

First Appeal St No.1914/2018

In view of the fact that First Appeal No.1032/2017 has been admitted, the following order is passed:-

ORDER

- a. **Admit.**
 - b. Registry is directed to call for Record and Proceedings.
 - c. Private paper book along with compilation of documents and evidence be filed within a period of eight weeks.
 - d. Let the Memo of Appeal along with compilation of documents and evidence be served on the respondents within a period of eight weeks and an affidavit of service with tangible proof be filed in this Court.
2. List the matter along with First Appeal No.1032/2017 on 09-11-2022.

(Abhay Ahuja, J.)