

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

CIVIL APPLICATION (CAF) NO. 1357 OF 2019

IN

FIRST APPEAL (ST) NO. 17517 OF 2018

Executive Engineer, Bembla Cannel Division, Yavatmal

Vs.

Mrs. Suman w/o Krushnarao Thakare and Ors.

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

Court's or Judge's Orders.

Mr. Ritesh D. Kalra, Advocate for appellant.
Mr. S.D. Dharaskar, Advocate h/f Mr. K.S. Narwade,
Advocate for respondent No.1.
Ms. Trupti Udeshi, AGP for respondent Nos.2 & 3.

CORAM : ABHAY AHUJA, J.

DATE : 12.10.2022.

This is an application seeking
condonation of delay of 385 days in filing the appeal
against judgment and decree dated 01.03.2017,
passed by the 4th Joint Civil Judge Senior Division,
Yavatmal in LAC No.713/2012.

2. Mr. Kalra, learned counsel for the
acquiring body has drawn attention of this Court to
paragraphs 2 to 6 of the application to explain the
delay. He would submit that the appellant is a good
case on merits and therefore, the delay be condoned.

3. Mr. Dharaskar, learned counsel for the respondent No.1, has no objection, if the delay is condoned.

4. Mr. Kadu, learned AGP for respondent Nos.2 and 3, has no particular objection.

5. Having heard the learned counsel for the appellant and having perused the application, let the delay of 385 days be condoned.

6. Let the first appeal be registered within a period of two weeks.

First Appeal (St) No.17517/2018

Let the memo of appeal as well as along with complete annexures be served on the respondents within a period of four weeks.

2. List the matter on 10.11.2022.

Civil Application (CAF) No.1358/2019

Mr. Dharaskar, learned counsel confirms that the amount has already been deposited in this Court and stay to the execution of the impugned order dated 01.03.2017 be confirmed.

2. Let the stay granted earlier be continued till the final disposal of this appeal.
3. The civil application stands disposed.

JUDGE