

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 9085 OF 1999
IN
FIRST APPEAL (ST.) NO. 4517 OF 1999
WITH
CIVIL APPLICATION NO. 9086 OF 1999
IN /WITH
FIRST APPEAL (ST.) NO. 4517 OF 1999

The State Of Maharashtra

...Applicant/Appellant in
both matters

Versus

Govind Balya Bhagat And Ors.

...Respondents in both
matters

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Ms. Tanaya Goswami, AGP for Applicant.

Mr. Ashutosh Govnekar, Mr. Rohit Parb i/b. C.G.Govnekar, Advocate
for Respondent Nos. 1 to 3.

Mr. G.H. Keluskar, Advocate for Respondent Nos. 4A, 4C to 4I.

CORAM : M.M. SATHAYE, J.

DATE : 4th DECEMBER, 2023

P.C. :

CIVIL APPLICATION NO. 9085 OF 1999

1. This is an application for condonation of delay filed by the Applicant/State in filing the above First Appeal arising out of Land Acquisition Act. As per office note, the delay is of 170 days.

2. Heard Ms. Goswami learned AGP for State & Mr. Gavnekar, learned counsel appearing for Respondent Nos. 1 to 3 and Mr.

Keluskar. learned counsel appearing for Respondent Nos. 4A, 4C and 4I. Respondent Nos. 4B is stated to be dead and Respondent No. 4J is part of the family being legal heir of deceased Chambharya Rama Bhagat. Since majority of the legal heirs are served, estate is already represented. Therefore, notice to Respondent No. 4J is dispensed with.

3. No reply is filed till date, opposing this application. Considering the extent of delay and the averments made in the Interim Application, sufficient cause is made out. Hence, this Application is allowed in terms of prayer clause (a). Delay is condoned. Appeal be numbered. Application is disposed off.

**CIVIL APPLICATION NO. 9086 OF 1999
IN /WITH
FIRST APPEAL (ST.) NO. 4517 OF 1999**

4. By consent of the parties, the above First Appeal as well as other Civil Application No. 9086 of 1999 (for stay) is referred to Lok Adalat to be held on 09/12/2023 for exploring possibility of settlement.

5. All concerned to act on authenticated or digitally signed copy of this order.

(M.M. SATHAYE, J.)