

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

CAF No.297/23 in FA St. No.1133/2023

(The Executive Engineer, Nimn Painganga Project Division (Belbla Project), Yavatmal V
 Laxman 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. T. Zaheer, Advocate for appellant.
 Ms. Udeshi, AGP for resp. nos. 2 and 3.
 Ms Kashikar, Adv for resp. no.1.

CORAM : URMILA JOSHI-FALKE, J.

DATE : 27-03-2023

Heard.

This is an application for condonation of delay of 220 days caused in preferring the appeal. The appellant is the acquiring body preferred this appeal against the judgment and award passed by the 4th Joint Civil Judge Senior Division, Yavatmal. As per the contention of the appellant the reference Court has awarded compensation which is exorbitant and excessive one. The appellant is the statutory body and its officials have approached to the higher officials to obtain the necessary approvals, but they could not receive the approval within time and therefore the delay is caused. The delay is not intentional one.

Application is strongly opposed by learned Advocate Ms Kashikar for respondent no.1 and learned AGP appearing for respondent nos. 2 and 3.

Considering the reasons mentioned in the application and the fact that the officials of the appellant have

approached to the higher officials to obtain the necessary approvals, but they could not receive the approval within time, appears to be just and proper. In view of that, the delay of 220 days is condoned and appeal be registered.

Application is disposed of.

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Admit.

Call R and P.

The appellant to file paper book within 10 weeks.

After receipt of R and P, the appeal be placed before the Court after filing of the paper book as per its own turn.

Learned Advocate Ms. Kashikar waives notice for respondent no.1.

Learned AGP waives notice for respondent nos. 2 and 3.

JUDGE