

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

CIVIL APPLICATION (F) NO.445 OF 2023

IN

FIRST APPEAL (ST) NO.2436 OF 2023

[The Executive Engineer ..V/s.. Subham Kishor Kuradkar and Ors.]

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

Court's or Judge's order

Mr T. M. Zaheer, Advocate for Applicant/Appellant.
Ms T. H. Udeshi, AGP for Respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 18th APRIL, 2023.

. Present application is for condonation of delay of 247 days, which is caused in filing the appeal.

2. The appellant which is the statutory body preferred the appeal against the judgment and award dated 19.01.2022 passed by the 4th Joint Civil Judge Senior Division Yavatmal on the ground that the Reference Court has awarded the compensation which is excessive and exorbitant one. The application is filed on the ground that the appellant which is the statutory body has to obtain the necessary approvals before preferring the appeal, wherein the time was consumed.

3. Respondent No.1 though served with notice, none appeared. Learned Assistant Government Pleader for respondent Nos.2 and 3 has no objection for condonation of delay.

4. In view of the reasons mentioned in the application, the application is allowed and delay of 247 days is condoned. Appeal be registered and numbered accordingly.

5. Civil application is disposed of.

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6. **Admit.**
7. Call for Record and Proceedings.
8. Issue notice to respondent No.1 on merits. Learned AGP waives notice for respondent Nos.2 and 3.
9. Appellant to file the private paper-book within ten weeks after receipt of record and proceedings.
10. Place the matter before the Court for final hearing after filing of paper-book, its verification as per its own turn.

JUDGE