

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

CIVIL APPLICATION (CAF) NO. 398 OF 2023
IN
FIRST APPEAL (ST.) NO. 2443 OF 2023

The Executive Engineer, Nimn Painganga Project Division (Bembla), Yavatmal
..VS..

Shri Divakar Laxman Turak and others

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

Court's or Judge's orders

Mr. T.M. Zaheer, Advocate for applicant.
Ms. Trupti Udeshi, AGP for respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : APRIL 13, 2023

Heard.

2. Present application is for condonation of delay of 285 days which is caused in preferring appeal against the judgment and award passed by the Civil Judge, Senior Division, Yavatmal in L.A.C. No.495/2017.

3. As per the contention of the applicant, the applicant/appellant is statutory body which have to obtain a necessary approval from the higher officials. The approval was not received in time and therefore, delay is caused.

4. Notice of the said application though served on respondent No.1, non appears for respondent No.1. Learned AGP already waives notice for respondent Nos.2 and 3. She has no objection for condonation of delay.

5. In view of the reason mentioned in the application, the delay is condoned.

6. Appeal be registered.

FIRST APPEAL (ST.) NO. 2443 OF 2023

Issue notice to respondent No.1 on merit.

2. Learned A.G.P. waives notice for respondent Nos.2 and 3.

3. Call record and proceeding.

4. Appellant to file private paper book within ten weeks after receipt of record and proceeding.

5. Appeal be placed before the Court after filing of paper book and its verification, as per its turn.

(URMILA JOSHI-PHALKE, J.)

Kirtak