



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

**Civil Application (CAF) No. 2125 of 2023
in
First Appeal Stamp No. 4582 of 2023**

**Executive Engineer Bembala Canal Division, Yavatmal
Versus
Chanda Vijay Mohta and others**

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms. Ira P.Khisti, Advocate for the appellant.
Shri P.J.Mehta, Advocate for the respondent no.1.
Shri H.D.Dubey, AGP for the respondent nos. 2 and 3.

**CORAM : ANIL S. KILOR, J.
DATED : 14th DECEMBER, 2023.**

This is an application for condonation of delay in filing the first appeal. There is a delay of 268 days in filing the first appeal.

Though the respondent no.1 is opposing the present application, however, after going through the contents of the application, I am of the opinion that sufficient cause has been shown by the appellant for explaining the delay in filing the first appeal.

In the circumstances, the application is allowed. Thereby delay caused in filing the first appeal is condoned.

Civil application is disposed of.

Civil application (CAF) No. 2126 of 2023

There shall be stay to the impugned judgment and order dated 23rd December, 2021 passed by the learned Joint Civil Judge, Senior Division, Yavatmal in LAC No.187 of 2016, subject to deposit of decretal amount within eight weeks.

Civil application is disposed of.

First Appeal No. _____ of 2023.

Heard.

Admit.

Shri H.D.Dubey, learned Assistant Government Pleader waives service of notice on behalf of respondent nos. 2 and 3.

Call record and proceedings.

[ANIL S. KILOR, J.]