

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

CIVIL APPLICATION (F) NO.1620 OF 2020

IN

FIRST APPEAL (ST) NO.5755 OF 2018

[Vidarbha Irrigation Development Corporation and Anr. ..V/s.. Dharamraj
Sharadchandrao Gawande 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 V. Dahat, Adv. h/f Mr J. B. Kasat, Advocate for Appellant.
Ms A. N. Kashikar, Adv. h/f Mr P. M. Pande, Advocate for Respondent No.1.
Ms T. H. Udeshi, AGP for Respondent Nos.2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 25th APRIL, 2023.

1. Present application is for seeking condonation of delay of 296 days, which is caused in preferring the appeal on the ground that the appellants are the Statutory Body, who have to obtain necessary approval before preferring the appeal. As the approval was not received from the Higher Official within time, therefore the delay of 296 days is caused in preferring the appeal.

2. The said application is strongly opposed by respondent No.1 on the ground that delay is not properly explained. Learned Assistant Government Pleader has no objection for condonation of delay.

3. Considering the appellants are a Statutory Body, who have to obtain the necessary approval from the Higher Official before preferring the appeal and as approval was not received within time, the delay is caused appears to be just and reasonable one for condonation of delay.

4. In view of the above, application is allowed and delay of

296 days is hereby condoned. Appeal be registered and numbered accordingly.

5. The civil application is disposed of.

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6. Heard.

7. **Admit.**

8. Ms Kashikar h/f Mr Pande, learned Advocate waives notice for respondent No.1 and Ms Udeshi, learned AGP waives notice for respondent Nos.2 and 3.

9. Call for Record and Proceedings.

10. Appellants to file the private paper-book within eight weeks, after receipt of record and proceedings.

11. Appeal be placed before the Court for final hearing, after filing of paper-book and its verification, as per its own turn.

JUDGE.