

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

CIVIL APPLICATION (CAF) NO.802 OF 2021
IN
FIRST APPEAL STAMP NO.4164 OF 2021

The Chief Executive Officer, Zilla Parishad, Nagpur
Vs.

Gulab s/o Lahanu Kailakhe and others
with

CIVIL APPLICATION (CAF) NO.801 OF 2021
IN
FIRST APPEAL STAMP NO.5174 OF 2021

The Grampanchayat Khairgaon, through its Village Development Officer,
Vs.

Gulab s/o Lahanu Kailakhe and others

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

Court's or Judge's orders

CIVIL APPLICATION (CAF) NO.802 OF 2021

Mr. I. S. Charlewar, Advocate for applicant.

Mrs. Deepa I. Charlewar, Advocate for respondent No.3.

CIVIL APPLICATION (CAF) NO.801 OF 2021

Mrs. Deepa I. Charlewar, Advocate for applicant.

Mr. A.Z. Jibhkate, Advocate for respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/03/2023

CIVIL APPLICATION (CAF) NO.802 OF 2021

The applicant has already deposited 1/3 rd
amount of compensation. In view of that leave is
granted to file an appeal.

Civil Application No.802/2021 is disposed
of.

Civil Application (CAF) No.913/2021

Present application is for condonation of
delay of 1168 days in filing the appeal.

As per contention of the learned Advocate for the applicant that the applicant had approached to the Advocate for filing the appropriate proceeding, however Advocate did not file the appeal within a considerable period and subsequently, return the file to the applicant, and therefore delay of 1168 days is caused in preferring the appeal.

Notice of respondent Nos.1 and 2 are served, none is present for respondent Nos.1 and 2. ‘

Learned Advocate Mrs. Charlewar for respondent No.3 is present and none appears for the respondent No.4.

Considering the reasons mentioned in the application, the Advocate of the Zilla Parishad have not file the appeal within time, and therefore delay is caused appears to be sufficient reason. In view of that, delay is condoned.

Appeal be registered.

Civil Application is disposed of.

FIRST APPEAL STAMP NO.4164 OF 2021

Issue notice to the respondents, returnable after **four weeks**.

Learned Advocate Mrs. Charlewar, waives notice for respondent No.3.

(URMILA JOSHI-PHALKE, J.)

Sarkate