



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

CIVIL APPLICATION (CAF) NO.2460 OF 2021
IN
FIRST APPEAL STAMP NO.6134 OF 2021

(Executive Engineer, Madhyam Prakaalpa Vibhag, Yavatmal, Dist. Yavatmal Vs.
Rajusingh Dayaram Pawar 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. I. P. Khisti, Advocate for Appellant.
Mr. Abhishek A. Zade, Advocate h/f Mr. Sunil Ingole, Advocate for
Respondent No.1.
Mr. S. C. Joshi, AGP for Respondent Nos.3 & 4/State.

CORAM: ANIL L. PANSARE, J.
DATE: 21st FEBRUARY, 2024.

Extension of time of eight weeks to comply order dated 07.10.2023 has been sought on the ground of procedural delay. By order dated 07.10.2023, the appellant has given option to either deposit costs of Rs.10,000/- or to plant 25 trees as condition for condoning the delay. The appellant opted to deposit Rs.10,000/- but failed to deposit the same within the time stipulated.

2. This is another case where the order has been not complied in time on the ground of procedural delay. The Supreme Court in the case of ***State of Madhya Pradesh And Others Vs. Bherulal*** reported in ***(2020) 10 SCC 654*** deprecated the practice of keeping the file pending for several months on the ground of administrative exigencies.

3. Nonetheless the delay having been condoned in filing first appeal, it will be appropriate to permit the appellant to deposit amount of Rs.10,000/-, subject to payment of costs of Rs.5000/- which shall be deposited in two weeks from today.

4. Stand over after two weeks.

JUDGE

NSN