

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

CIVIL APPLICATION (CAF) NO. 1222/2021 IN
FIRST APPEAL STAMP NO. 12283/2019

Executive Engineer, Lower Wardha Project Division, Wardha And Another
Vs
Sau. Gunmalabai Subhashchandra Jain And 2 Others

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

Court's or Judge's Order

Mr J.B.Kasat, counsel for the appellants.

Mr M.A. Kadu, AGP for the respondent Nos. 2 and 3.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 31/03/2023.

1. Heard.
2. The present application for seeking condonation of delay of 138 days which is caused in preferring the appeal. The appellants have challenged the judgment and award of the reference Court passed in LAC No. 41/2009.
3. As per the contention of the appellants, the appellants has to obtain the necessary permission before preferring of the appeal, wherein the time was consumed and therefore, the delay is caused.
4. In view of the reasons mentioned in the application, which is satisfactory. The delay of 138 days in filing the appeal is condoned.

Civil application is disposed of.

First appeal St. No. 12283/2019

First Appeal be registered.

2. Call for record and proceedings.
3. **Admit.**
4. Mr M.A. Kadu, learned AGP waives service of notice on behalf respondent Nos. 2 and 3.
5. Appellants to file private paper-book within a period of ten weeks after receipt of the record and proceedings.
6. Appeal be placed before the Court after filing of private paper-book and its verification, as per its turn.

JUDGE