

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

CIVIL APPLICATION (CAF) NO. 1130/2020 IN FIRST APPEAL
STAMP NO. 12428/2019

Executive Engineer V/s Sawairam Rathod 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 I.P.Khisti, counsel for the appellant /applicant.

Mr N.Z. Mirza, counsel for the respondent No.1.

Ms T.H. Udeshi, AGP for the respondent Nos. 2 and 3.

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

1. By preferring this application, the applicant has preferred this application for condonation of delay.
2. As per the contention of the applicant, the impugned judgment is pronounced on 18/04/2017. The appellant has received the certified copy on 03/07/2017. Thereafter, they have to obtain the legal opinion from their superior, wherein the time was consumed and therefore, delay of 629 days is caused in preferring the appeal. Delay is not an intentional one. Hence, delay be condoned.
3. The application is strongly opposed by the learned counsel Mr N.Z. Mirza for the respondent No.1.
4. Ms T.H. Udeshi, learned AGP for the respondent Nos. 2 and 3 has no objection for the same.
5. Considering the reasons mentioned in the application the appellant has to take necessary approvals

from the superiors. There is sufficient and reasonable cause for the condonation of delay. In view of the reasons mentioned in the application, the delay is condoned. Appeal be registered.

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1. Heard.
2. Admit.
3. Call for record and proceedings.
4. Appellant to file private paper-book within a period of ten weeks after receipt of record and proceedings.
5. Place the matter before the Court after private paper book is filed and its verification for final hearing, as per its own turn.

JUDGE