

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

**CIVIL APPLICATION (CAF) NO. 3424 OF 2019**  
**IN**  
**FIRST APPEAL (ST.) NO. 12689 OF 2019**

CHIEF EXECUTIVE ENGINEER, MADHYAM PRAKALPA VIBHAG, YAVATMAL

...**VERSUS**...

YAMUNABAI HARI CHAVHAN AND ORS.

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

*Court's or Judge's order*

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Mrs. Ira P. Khisti, Advocate for applicant/appellant.  
Shri S.V. Ingole, Advocate for respondent no. 1.  
Ms. T.H.Udeshi, AGP for respondent nos. 2 and 3.

**CORAM : SMT. M. S. JAWALKAR,J.**

**DATE : 12<sup>th</sup> JUNE, 2023**

Heard.

2. The present application is filed for condonation of delay in filing First Appeal.

3. It appears that the appellant has already deposited the amount of compensation and the said amount has been withdrawn by the claimant on certain conditions. Delay is caused due to administrative procedure to be complied with and for obtaining the opinion and the Court fees.

4. Learned counsel for the respondents vehemently opposed the application.

5. However, there is no intentional or deliberate delay in filing the appeal. As such, appellant is entitled for condonation of delay. Accordingly, the application is allowed. Delay in filing First Appeal is hereby condoned.

6. Registry is directed to register the First Appeal.
7. Accordingly, the application stands disposed of.

**CIVIL APPLICATION (CAF) NO. 3425 OF 2019**

For the reasons stated in the application, application is allowed.

2. There will be stay to the effect, execution and operation of the judgment and decree dated 10/04/2017 passed by learned Civil Judge, Senior Division, Darwaha in LAC No. 61/2010, during the pendency of the appeal.
3. Accordingly, the application stands disposed of.

**(Smt. M.S. Jawalkar, J.)**

B.T.Khapekar