

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

CIVIL APPLICATION (F) NO.348 OF 2023

IN

FIRST APPEAL (ST) NO.13502 OF 2022

[Ramesh S/o Narayan Sarge .V/s.. The Executive Engineer and Ors]

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

Court's or Judge's order

Mr S. V. Ingole, Advocate for Appellant.

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

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 25th APRIL, 2023.

. Heard.

2. Mr A. M. Kukday, learned Advocate waives notice for respondent No.1. Learned Assistant Government Pleader has already waived notice for respondent Nos.2 and 3.

3. Present application is for condonation of delay of 213 days, which is caused in preferring the appeal, on the ground that the appellant was not aware about the legal intricacies and he was also facing financial crisis, therefore he could not file the appeal within time.

4. The said application is strongly opposed by the learned Advocate Mr Kukday for respondent No.1 on the ground that the delay is not properly explained. Learned AGP endorsed the same contention.

5. In view of the reasons mentioned in the application, the application is allowed and delay of 213 days is condoned subject to the waiver of the interest on the compensation amount for the delayed period. Appeal be registered and numbered accordingly.

6. The civil application is disposed of.

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7. Heard.

8. **Admit.**

9. Call for Record and Proceedings.

10. Appellant to file the private paper-book within ten weeks, after receipt of record and proceedings.

11. Appeal be placed before the Court for final hearing, after filing of paper-book and its verification, as per its own turn.

JUDGE.