

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

CIVIL APPLICATION (CAF) NO. 912/2023 IN
FIRST APPEAL ST. 21980/2022

V.I.D.C., Through Executive Engineer, Amravati Project
Construction Division, Amravati and another.

Vs

Harihar @ Harish Bhimrao Thakare And Others

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

Court's or Judge's Order

Mr P.B. Patil, advocate for the appellants.

Ms Munshi, advocate h/f Ms S.W. Deshpande, advocate for
the respondent No.1.

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

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 02/05/2023.

1. Heard.
2. The present application is for condonation of delay which is caused in preferring the appeal against the judgment and award passed by the Presiding Officer, Resettlement and Rehabilitation Authority, Nagpur in LAC No. 1135/AMT/AMT/2018.
3. As per the contention of the appellant, the appellants is the statutory body who has to obtain necessary approval before preferring an appeal as the necessary approvals are not received within time, therefore a delay of 140 days is caused in preferring the appeal.
4. It is further submitted by the learned advocate for the appellants that the authority requires to supply a copy under

Section 60(5) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation, Resettlement Act, 2013 which was not supplied and therefore, delay of 140 is caused

5. The said application is strongly opposed by the learned advocate Ms Munshi holding for Ms S.W. Deshpande, for the respondent.

6. Ms T.H. Udeshi, learned AGP for respondent Nos. 2 and 3 have no objection for condoning the application.

7. Considering the reasons that necessary approvals was not received within time, therefore a delay of 140 days is caused in preferring the appeal. In view of that delay is condoned. Civil Application is disposed of.

First Appeal St. No. 21980/2022

1. Appeal be Registered.

2. **Admit.**

3. Ms Munshi, advocate holding for Ms. S.W. Deshpande, learned advocate waives service of notice on behalf of respondent Nos. 1.

4. Ms T.H. Udeshi, learned AGP waives service of notice on behalf of respondent Nos. 2 and 3.

5. Call for record and proceedings.

6. Appellants to file private paper-book within a period of ten weeks after receipt of the record and proceedings.

7. The appeal be placed before the court after filing of private paper-book and its verification as per its own turn.

JUDGE