

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.1138 OF 2023
IN
FIRST APPEAL STAMP NO.1898 OF 2023**

Executive Engineer,
Urdhva Godawari Project,
Trambak Road, Nashik

..Applicant/Appellant

Versus

Shivraj Parshuram Thombare & Ors.

..Respondents

Ms. Chaitrali Deshmukh, for the Applicant/Appellant.

Mr. Sachin Gite, for the Respondents.

Mr. A. R. Patil, AGP for the Respondent/State.

CORAM : KISHORE C. SANT, J.

DATE : 1st MARCH, 2024

PC.

1. This Court has already considered Civil Application No.1024 of 2023 in First Appeal Stamp No.2002 of 2022. The facts are almost identical. Considering that this Court has already condoned delay subject to cost of Rs.10,000/-, this Application also needs to be allowed.

2. The Application stands allowed. Subject to cost of Rs.10,000/-.

3. The cost be deposited before the Reference Court within 6 weeks.

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4. After cost amount is deposited, claimants shall be entitled to withdraw the said amount of cost.
5. Office to register the First Appeal thereafter.

[KISHORE C. SANT, J.]