

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 739 OF 2020

WITH

INTERIM APPLICATION NO. 740 OF 2020

IN

FIRST APPEAL NO. 1183 OF 2020

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

...Applicant

In the Matter Between :

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

...Appellant

Versus

Dnyeshwar Punja Shirsat & Ors.

...Respondents

WITH

INTERIM APPLICATION NO. 743 OF 2020

WITH

INTERIM APPLICATION NO. 744 OF 2020

IN

FIRST APPEAL NO. 1188 OF 2020

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

...Applicant

In the Matter Between :

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

...Appellant

Versus

Waman Narayan Shirsat & Anr.

...Respondents

Ms. Chaitrali Deshmukh, for the Applicant/Appellant.

Mr. Sachin Gite, for Respondent No. 1.

Ms. Tanaya Goswami, AGP, for the Respondent-State.

CORAM Dr. Neela Gokhale, J.

DATED: 11th January 2024

PC:-

1. The applications seek condonation of delay of 2 years and some days in preferring the First Appeals against the judgements and awards dated 22nd August 2017 passed by the learned Civil Judge, Senior Division, Nashik in Land Reference Nos. 234 and 235 of 2010 respectively.
2. Paragraph No. 5 of the respective applications contains a detailed table explaining the reasons for delay commencing from the date of passing of judgment and award till filing of the First Appeal.
3. Ms. Chaitrali Deshmukh, learned Counsel for the Applicant/Appellant fairly brings to my notice the orders dated 24th September 2019 passed by this Court in Interim Application No. 1 of 2019. These orders rejecting the delay condonation applications made in preferring the First Appeals, are pertaining to the same project. In the detailed orders, this Court has specifically observed that the reasons disclosed by the Applicant/Appellant to justify the delay are insufficient and hence, the said applications were rejected. The same explanation is preferred in the present applications relating to the same project.
4. In the circumstances, the explanation given to justify the delay is not acceptable. Nothing survives in the applications, hence

the same stand disposed as rejected. The registration of First Appeals also stands rejected.

(Dr. Neela Gokhale, J.)

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