

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO. 1017 OF 2020
WITH
INTERIM APPLICATION NO. 599 OF 2020
WITH
INTERIM APPLICATION NO. 600 OF 2020**

Executive Engineer, Nandur Madhyameshwar
Project, Division Nashik

**...Appellant/
Applicant**

Versus

Yamunabai Pandurang Shirsat & Ors.

...Respondents

Ms. Chaitrali Deshmukh, for the Appellant/Applicant.

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 application seeks condonation of delay of 2 years and 57 days in preferring the First Appeal against the judgement and award dated 22nd August 2017 passed by the learned Civil Judge, Senior Division, Nashik in Land Reference No. 232 of 2010.

2. Paragraph No. 5 of the application contains a detailed table explaining the reasons for delay commencing from the date of passing of judgment and award till the First Appeal was eventually preferred.

3. Ms. Chaitrali Deshmukh, learned Counsel for the Appellant/Applicant 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 Appellant/Applicant to justify the delay are insufficient and hence, the said applications were rejected. The same explanation is preferred in the present application 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 Appeal also stands rejected.

(Dr. Neela Gokhale, J.)

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