



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

CIVIL APPLICATION (CAO) NO. 1020 OF 2023
IN
MISC. CIVIL APPLICATION (ST.) NO. 9376 OF 2023
IN
FIRST APPEAL (ST.) NO. 19951 OF 2018
Executive Engineer, Yavatmal and another
.VS.
Sau. Mangla W/o. Shankar Hurkunde and others

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Ms A. S. Athalye, Advocate for the appellants
Mr M. A. Kadu, AGP for respondent Nos. 2 and 3

CORAM : G.A. SANAP, J.
DATE : MAY 08, 2024.

Heard.

2. Issue notice to the respondents.
3. Learned AGP waives service of notice on behalf of respondent Nos. 2 and 3/State.
4. This is an application for condonation of 832 days delay caused in filing the application for restoration of the appeal dismissed in default.
5. Learned AGP submits that considering the reasons stated in the application, the Court may pass an appropriate order. The reasons have been stated in the application.

6. In view of the reasons, I do not see any reason to reject the application. As such, the application is allowed.

7. Delay of 832 days caused in filing the restoration application stands condoned.

8. Restoration application be registered.

9. The civil application stands **disposed of**, accordingly.

MISC. CIVIL APPLICATION (ST) NO. 9376 OF 2023

10. Heard. Perused the record and proceedings.

11. Issue notice to the respondents.

12. Learned AGP waives service of notice on behalf of respondent Nos. 2 and 3/State.

13. In view of the reasons stated in the application, the application is allowed.

14. The dismissal order is set aside.

15. The first appeal be restored to file to its original number.

FIRST APPEAL (ST.) NO. 19951 OF 2018

16. On restoration, the advocate for the appellant shall remove the office objection within two weeks.

CIVIL APPLICATION (ST.) NO. 19953 OF 2018

17. Heard learned Advocate for the appellant.

18. Perused the application. The reasons have been

stated in the application.

19. In view of the reasons stated in the application, subject to deposit of the entire amount of compensation within twelve weeks, there shall be stay to the execution of the impugned judgment and decree dated 05.05.2017 passed by the 2nd Joint Civil Judge Senior Division, Yavatmal in Land Acquisition Case No.854 of 2012 till final disposal of this appeal.

20. The application stands **disposed of**, accordingly.

(G. A. SANAP, J.)

Namrata