



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

CIVIL APPLICATION (CAF) NO. 3595 OF 2023

IN

FIRST APPEAL (St.) NO. 14062 OF 2022

The Executive Engineer, Yavatmal and others

.VS.

Ashok Lingoji Shewalkar and others

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

Mr M. R. Johrapurkar, Advocate for the appellants
Mr Anuj Patil, Advocate for respondent No. 1
Mr M. A. Kadu, AGP for respondent Nos. 2 and 3/State

CORAM : G.A. SANAP, J.

DATE : JANUARY 02, 2024.

Heard learned Advocates for the parties. Perused the record and proceedings.

2. This is an application for condonation of 87 days delay caused in filing the appeal against the impugned judgment and decree. Learned Advocate for the respondents submits that in view of the reasons stated in the application, subject to suitable condition the Court may pass an appropriate order.

3. The reasons have been stated in the application. It is stated that due to second wave of Covid-19, the steps could not be taken for filing the appeal within time. On

going through the application I am satisfied that the case is made out for condonation of delay. Accordingly, the application is allowed.

4. The delay of 87 days caused in filing the appeal against the impugned judgment and decree is condoned.

5. The application stands disposed of, accordingly.

6. The appeal be registered.

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7. Heard.

8. **ADMIT.**

9. Learned Advocate Mr Anuj Patil waives service of notice on behalf of respondent No. 1.

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

11. Call for record and proceedings.

12. Paper book be filed within six weeks from the date of receipt of record and proceedings.

CIVIL APPLICATION NO. 3596 OF 2023

13. Heard learned Advocate for the appellants.

14. Perused the application. The reasons have been stated in the application.

15. 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 04.03.2021 passed by the Civil Judge Senior Division, Pusa in Land Acquisition Case No. 290 of 2010 till final disposal of this appeal.

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

(G. A. SANAP, J.)

Namrata