



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAO) NO.571 OF 2024 IN
MCA ST. NO.22404 OF 2023 IN
FIRST APPEAL ST. NO.14095 OF 2022 (D)

Shivram S/o Vithoba Mohitkar (Dead) through LRs .Vs. Special Land Acquisition Officer,
Nagpur and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Ms Rajkumari Rai, Advocate for appellants/applicants.
Shri S. Halke, A.G.P. for respondent No.1/State.
Shri T.M. Zaheer, Advocate for respondent No.2.

CORAM : SANJAY A. DESHMUKH, J.
DATED : 10/12/2024

1. This is an application for condonation of delay of 352 days caused for filing application for restoration of first appeal.
2. Heard learned advocates for both sides.
3. Perused the application.
4. Considering reasons stated in the application, particularly, submission of learned advocate for the applicants that there is compliance of office objections on the part of claimants/applicants. The application deserves to be allowed as the delay is not deliberately caused. The application is **allowed**. Delay of 352 days is condoned in the interest of justice.
5. Application is **disposed**.

M.C.A. ST. NO.22404 OF 2023

1. The learned advocate for the applicants has not pressed this application as another application No.246 of 2023 bearing St. No.20994 of 2022 is already filed on record and disposed.

2. Accordingly, Miscellaneous Civil application **disposed.**

FIRST APPEAL ST. NO.14095 OF 2022

1. Respondent No.2 is Executive Engineer, Lower Wanna Project, Wardha. It appears that, as per order of the amendment, one more respondent styled as respondent No.2 – Executive Engineer, Nagpur Irrigation Division (South), Vainganga Nagar, Ajani, Nagpur is arrayed in the memo of this appeal / cause title of the appeal.

2. Both the learned advocates are directed to clarify and submit as to whether these two respondents are one and same or not.

3. Issue notice to the respondents.

4. Shri Zaheer, learned advocate waives service of notice for the respondent No.2 i.e. Executive Engineer, Nagpur Irrigation Division (South), Vainganga Nagar, Ajani, Nagpur.

5. Call record and proceedings.

6. Filing of paper book is dispensed with.
7. Stand over to **14.01.2025**.

(SANJAY A. DESHMUKH, J.)