



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2854 OF 2024
IN SAST/7621/2024

Jalgaon Municipal Corporation Thr Its Commissioner,
Director Of Town Planning Department Jalgaon

VERSUS

Shaikh Nisar Shaikh Budhan

- Mr. V. D. Gunale, Advocate for the Applicant
- Mr. U. S. Patil, Advocate for the Respondent

CORAM : R. M. JOSHI, J

DATE : AUGUST 04, 2025

PER COURT :

1. This Application is filed for seeking condonation of delay of 498 days in filing Appeal against the judgment and order dated 15.06.2022 passed in RCA No. 08/2022.

2. Perusal of the Application indicates that delay has been caused for sanctions and opinions from the concerned Advocate. It is claimed that delay is not deliberate.

3. Learned Counsel for the Applicant submits that the delay is not deliberate and hence, be condoned.

4. Learned Counsel for Respondent vehemently

opposed the Application.

5. In the suit filed before the Trial Court, Respondents/Original Plaintiff has raised objection to the notice issued by the Corporation alleging the encroachment.

6. Having regard to the subject matter and as there is no prejudice likely to cause to Respondents by condonation of delay, Application deserves to be allowed. However, in view of the amount of delay caused therefor, cost of Rs. 5,000/- is imposed, which shall be payable to the Respondent No.1.

7. In view of above, subject to deposit of cost to Respondent, the Application is allowed. Cost be paid within a week from today. Delay stands condoned. Appeal be registered.

(R. M. JOSHI, J.)