

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1269 OF 2019.

IN

FIRST APPEAL NO. 26902 OF 2019.

Executive Engineer, Kanher Dam

...Applicant.

Versus

Shri. Raghunath Bala Gole (Deceased) 1a. Aanuda
Raghunath Gole & Ors.

...Respondents.

*Mr. Mahesh Pawar with Ms. Chaitrali Deshmukh for the Applicant.
Mr. Shailesh Chavan, for Respondent No.1(A) to 1(F) and 1(G)(a) to 1(G)(b).
Mr. A.R. Patil, AGP, for the State.*

Coram : Sharmila U. Deshmukh, J.

Date : April 1, 2025.

P. C. :

1. The application has been preferred seeking condonation of delay of 106 days caused in preferring the Appeal.
2. Office noting indicates appearance on behalf of the private Respondents. However, none appears for the private Respondents. Learned Counsel appearing for the Applicant submits that the certified copy of the Judgment and Award was received on 24th April 2019, and thereafter the proposal was submitted for obtaining legal advice. He would further submit that after the permission was granted for filing of the Appeal, the same came to be filed. However, in the entire

process there is a delay of 106 days.

3. Learned AGP does not oppose the application as the application is by the acquiring body.

4. Perusal of explanation tendered in paragraph 6 of the Application would indicate that the Corporation obtained legal advice before decision was taken to file the Appeal, which has resulted in the delay of 106 days. The delay has been sufficiently explained and therefore, stands condoned.

5. Interim Application is allowed.

[Sharmila U. Deshmukh, J.]