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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CIVIL APPELLATE JURISDICTION**  
**INTERIM APPLICATION NO.9022 OF 2025**  
**IN**  
**FIRST APPEAL (ST.) NO.1035 OF 2025**

The Executive Engineer  
Hetawane Kalwa Vibhag

.. Applicant

**Versus**

Abdul Karim Bodhale (decd) through  
his LRs Jafar Abdul Bodhale and others

.. Respondents

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***Ms. Shakuntala Wadekar, Advocate for the Applicant.***

***Mr. A. R. Patil, Additional G.P. for Respondent Nos.2 & 3 - State.***

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**CORAM:   B. P. COLABAWALLA &  
              FIRDOSH P. POONIWALLA, JJ.**

**DATE    :   AUGUST 22, 2025**

**P. C.**

**1.**           The above Interim Application is filed seeking a condonation of delay of 460 days in filing the above First Appeal against the Judgement and Award dated 13<sup>th</sup> April 2023, passed by the Civil Judge Senior Division, Alibaug, Mahad in Land Reference No.10 of 2006.

**2.**           When the above matter had come up on 20<sup>th</sup> June 2025, the learned Additional Government Pleader appeared on behalf of

Respondent Nos.2 and 3 and waived notice. Since the matter came up for the first time (on 20<sup>th</sup> June 2025), we had directed the Registry to issue notice to Respondent Nos.1A and 1B, returnable on 1<sup>st</sup> August 2025. In addition to the Court notice, we had also permitted the Advocates for the Applicant - Appellant to serve Respondent Nos.1A and 1B with the papers and proceedings of the above Appeal as well as the above Interim Application, along with a copy of the said order, by private notice as well.

3. Today when the matter is called out, despite service, none have appeared on behalf of Respondent Nos.1A and 1B. Having heard the learned counsel appearing on behalf of the Applicant - Appellant as well as the learned AGP appearing on behalf of Respondent Nos.2 and 3 and for the reasons more particularly stated in the above Interim Application, we hereby condone the delay in filing the above Appeal.

4. Now that the delay is condoned, we direct that the Advocates for the Appellant - Applicant shall remove all other office objections within a period of four weeks from today, failing which, the above Appeal shall stand dismissed without further reference to the Court.

5. The Interim Application is disposed of in the aforesaid terms. However, there shall be no order as to costs.

6. This order will be digitally signed by the Private Secretary/ Personal Assistant of this Court. All concerned will act on production by fax or email of a digitally signed copy of this order.

**[FIRDOSH P. POONIWALLA, J.]**

**[B. P. COLABAWALLA, J.]**