



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

CIVIL APPLICATION (CAF) NO. 1879 OF 2024

IN

FIRST APPEAL (ST) NO. 6718 OF 2024

The Executive Engineer, Yavatmal Vs. Subhadra Narayan Borule and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. T.M. Zaheer, Advocate for applicant.
Mr. A.M. Kadukar, AGP for respondent Nos.2 & 3/State.

CORAM : SHYAM C. CHANDAK, J.

DATE : 23.06.2025.

Heard.

2. The instant application seeks condonation of delay of 418 days in filing the aforesaid appeal. Despite notice, respondent No.1 did not file his appearance.

3. Mr. Zaheer, the learned counsel for the applicant submits that it took time to seek the necessary administrative approval to file the appeal. Therefore, there is delay in filing the appeal. The applicants have not taken any advantage on account of the delay.

4. The learned counsel for the applicant submits that, the amount granted by the reference Court is more than four times. On instructions, he states that the applicant is ready to deposit the entire amount granted by the reference Court, within twelve weeks.

5. In view thereof, the application stands allowed.

6. The delay of 418 days in filing the aforesaid appeal is condoned.

7. Appeal be registered accordingly.

First Appeal (ST) No.6718/2024 & Civil Application (CAF) No.1880/2024

Issue notice to the respondents, returnable on **15.09.2025**.

2. Mr. Kadukar, learned Assistant Government Pleader waives service of notice on behalf of non-applicant Nos.2 & 3.

3. The applicant to provide the copy of the appeal and the stay application to the Registry. In addition to Court's notice, the applicant is permitted to serve the respondent with private notice. *Hamdast* allowed.

(SHYAM C. CHANDAK, J.)