



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

**CIVIL APPLICATION (CAF) NO. 1967 OF 2024**  
**IN**  
**FIRST APPEAL (ST.) NO. 7646 OF 2024**

The Executive Engineer, Maharashtra State Road Development Corporation, Nagpur  
..VS..  
Prakash s/o Waman Shete and another

Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

Mr. A. D. Mohgaonkar, Advocate for applicant/appellant.  
Mr. S.N. Bhattad, Advocate for respondent No.1.  
Mr. J. Y. Ghurde, AGP for respondent No.2.

**CORAM : SMT. M.S. JAWALKAR, AND**  
**RAJ D. WAKODE, JJ.**

**DATED : 03<sup>rd</sup> OCTOBER, 2025**

1. Heard.
2. The present application is filed for condonation of delay in filing first appeal. It is contention of the applicant that the applicant/appellant is the acquiring body, however, the proceedings were conducted by the Public Works Department (PWD). It is contended that the complete reference was conducted behind back of the applicant/appellant. No notice was issued to the applicant and PWD filed its written-statement.
3. For the reasons stated in the application in para 9 and 10, there is a justifiable reason to condone the delay.

Otherwise also the respondents have also no serious objection to condone the delay.

4. As such, the delay of 147 days is hereby condoned.

5. The Registry is directed to register the Appeal.

6. After registration of the same, list the matter for admission.

7. Learned Counsel Mr. S. N. Bhattad waives service of notice for respondent No.1 and learned Assistant Government Pleader Mr. J. Y. Ghurde waives service of notice for respondent No.2/State.

The Civil Application stands disposed of.

(RAJ D. WAKODE, J.)

(SMT. M.S. JAWALKAR, J.)