



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

CIVIL APPLICATION (CAF) NO. 2575 OF 2024

IN

FIRST APPEAL (ST.) NO. 18387 OF 2023

Executive Engineer, Medium Project, Division Yavatmal
..VS..

Yogaraj Arjun Bhoj and others

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

Court's or Judge's orders

Mrs. Ashwini Athalye, Advocate for applicant/appellant.
Mr. Pratik Mehta, Advocate for respondent No.1.
Mr. J. Y. Ghurde, AGP for respondent Nos.2 and 3.

CORAM : SMT. M.S. JAWALKAR, AND
SHRI M.W. CHANDWANI, JJ.

DATED : 14th NOVEMBER, 2025

1. Leave to amend the prayer clause is granted.
Amendment to be carried out forthwith.
2. Present application is filed for condonation delay. In fact, there is no delay in filing first appeal if days have been calculated from the passing of judgment and if the days in obtaining the certified copies are excluded. However, even if it is presumed that there is a delay of 28 days as calculated by the applicant/appellant, the delay is not inordinate.
3. The learned Counsel for Respondent No.1 opposed the said application.

4. For the reasons mentioned in para Nos. 3 and 4, the delay can be condoned as there is sufficient cause for filing the first appeal beyond the limitation.

5. As such, the application is allowed and disposed of. The delay in filing first appeal is hereby condoned.

6. The Registry is directed to register the First Appeal.

7. After registration of First Appeal, issue notice to the Respondents.

8. Mr. Pratik Mehta, learned Counsel waives service of notice for the Respondent No.1. Mr. J. Y. Ghurde, learned Assistant Government Pleader waives service of notice for the Respondent Nos.2 and 3.

9. Thus, the First Appeal is **Admitted**. Call for the Record and Proceedings.

10. The Appellant have deposited the entire decretal amount on 25.09.2025. In view of deposit of the entire decretal amount, there shall be stay to the effect and operation of the impugned Judgment and decree dated 05.06.2023 passed in Case No. 263/AMT/YVT/2018 (Yogaraj Bhoj Vs. Sub Divisional Officer & others) by the Presiding Officer, Land Acquisition, Resettlement & Rehabilitation Authority, Nagpur until further orders.

11. List the matter along with First Appeal (St.) No. 18365/2023 and First Appeal (St.) No. 18398/2023.

(M.W. CHANDWANI, J.)

(M.S. JAWALKAR, J.)

Kirtak