

Sayali

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**FIRST APPEAL (ST) NO.-12435 of 2025
WITH
INTERIM APPLICATION NO. 8339 OF 2025
WITH
INTERIM APPLICATION NO. 8338 OF 2025**

The Executive Engineer Minor Irrigation
Department Kalwal District Thane ... Applicant-Appellant
V/s.
Yashwant Mahdu Gawande and Others ... Respondents

Ms. Leena Patil, for Appellant.

Mr. A. R. Patil, Additional GP for State.

CORAM : AMIT BORKAR, J.

DATED : JUNE 09, 2026

PC.:

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1. The application is for condonation of delay. The office remark shows that contesting respondent no. 1 claimant is served. Despite service, none appears for respondent no. 1.
2. Considering the averments made in paragraph nos. 14 to 17, case for condonation of delay is made out.
3. The application is allowed in terms of prayer clause 'b'.

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4. The learned Advocate for the appellant states that the appellant has already deposited the entire decretal amount along with interest with the Reference Court.
5. Statement is accepted.
6. Considering the facts and circumstances of the present case, a case for grant of interim relief is made out. Hence, the application is allowed in terms of prayer clause 'b'.

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7. Admit.
8. The appellant shall file a private paper book within one year.
9. Call for the record and proceedings.

(AMIT BORKAR, J.)