



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

CIVIL APPLICATION (CAF) NO.2433 OF 2024
WITH CIVIL APPLICATION (CAF) NO.3290 OF 2024
IN
FIRST APPEAL (STAMP) NO.10107 OF 2023

THE EXECUTIVE ENGINEER, UPPER PAINGANGA PROJECT DIV.
2, UMARKHED AND OTHERS

VERSUS

DATTARAYA AMBADAS JOSHI (DEAD) THR. ITSLRS. SMT. SUREKHA
DATTARAYA JOSHI AND OTHERS

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
--	---------------------------

Mr. M.R. Johrapurkar, Advocate for Applicants/Appellants.
Mr. H.V. Dhage, Advocate for Respondent Nos.1 to 7.
Mr. H.R. Dhumale, AGP for Respondent Nos.8 & 9-State.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATED : 13th MARCH 2026

1. Heard learned Advocate for the applicants.
2. This is an application for condonation of delay of 342 days in filing the statutory appeal.
3. In response to the notice on this application, Advocate Mr. H.V. Dhage, appears for respondent Nos.1 to 7. Learned AGP appears for respondent Nos.8 and 9-State.
4. Learned Advocate for the applicants submits that the delay of 342 days occurred on account of completion of procedural formalities including some delay on account of lockdown due to Covid-19. He submits that the delay is unintentional.

5. Having regard to the contents of the application and submissions advanced, the application is allowed and the delay of 342 days in filing statutory appeal is condoned, however, subject to costs of Rs.3,000/- (Rupees Three Thousand Only), to be deposited by the applicants in Public Welfare Account, which is ordered to be opened vide order dated 12.01.2026, passed in SMPIL No.01 of 2021, within a period of four weeks from today..

6. The civil application is accordingly disposed of.

CIVIL APPLICATION (CAF) NO.3290 OF 2024

7. This is an application filed by the appellants under Order 41 Rule 1 of the Code of Civil Procedure, for dispensing with filing of additional certified copy of Award passed by the Reference Court.

8. Learned Advocate for the appellants submits that the certified copy of the same Award is already filed in connected appeals, which are also listed before this Court and since there is no dispute even by the respondents about the Award being same, the application is allowed and the additional certified copy of Award is dispensed with.

9. In view of the above, the civil application is disposed of.

(PRAFULLA S. KHUBALKAR, J.)

asd