



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE JURISDICTION**

**Civil Application NO. 478 OF 2013**  
**IN**  
**First Appeal (ST) NO. 33802 OF 2012**

The Commissioner, Nashik Municipal Corporation, Nashik ...Applicant.  
*Versus*  
Mr. Rpivan Kantilal Pawar And Ors ...Respondent(s)

**WITH**

**Civil Application NO. 375 OF 2013**  
**IN**  
**First Appeal (ST) NO. 33771 OF 2012**

The Commissioner, Nashik Municipal Corporation, Nashik ...Applicant  
*Versus*  
Dr. Arun Purushottam Behere And Ors ...Respondent(s)

**WITH**

**Civil Application NO. 377 OF 2013**  
**IN**  
**First Appeal (ST) NO. 33779 OF 2012**

The Commissioner, Nashik Municipal Corporation, Nashik ...Applicant  
*Versus*  
Mr. Laxminarayan Mandir Trust And Anr ...Respondent(s)

**WITH**

**Civil Application NO. 379 OF 2013**  
**IN**  
**First Appeal (ST) NO. 33789 OF 2012**



The Commissioner, Nashik  
Municipal Corporation, Nashik ...Applicant  
*Versus*  
Mr. Govind Digambar Deshpande And Ors ...Respondent(s)

**WITH**

**Civil Application NO. 437 OF 2013  
IN  
First Appeal (ST) NO. 33612 OF 2012**

The Commissioner, Nashik  
Municipal Corporation, Nashik ...Applicant  
*Versus*  
Mr. Dilip Pandurang Gaikwad (deceased)  
Thr. Madhuri Dilip Gaikwad And Ors ...Respondent(s)

**WITH**

**Civil Application NO. 468 OF 2013  
IN  
First Appeal (ST) NO. 33798 OF 2012**

The Commissioner, Nashik  
Municipal Corporation, Nashik ...Applicant  
*Versus*  
Mr. Tasduk Hussain Gulal  
Hussain Indorwala And Ors ...Respondent(s)

**WITH**

**Civil Application NO. 471 OF 2013  
IN  
First Appeal (ST) NO. 33811 OF 2012**

The Commissioner, Nashik  
*Municipal Corporation, Nashik* ...Applicant  
*Versus*



Mr. Deepak Balkrishna Chanwadkar And Ors

...Respondent(s)

**WITH**

**Civil Application NO. 480 OF 2013  
IN  
First Appeal (ST) NO. 33827 OF 2012**

The Commissioner, Nashik  
*Municipal Corporation, Nashik*

...Applicant

*Versus*

Mr. Sampat Trambak Patil And Ors

...Respondent(s)

**WITH**

**Civil Application NO. 482 OF 2013  
IN  
First Appeal (ST) NO. 33832 OF 2012**

The Commissioner, Nashik  
*Municipal Corporation, Nashik*

...Applicant

*Versus*

Mr. Govind Ratan Saindane And Anr

...Respondent(s)

**WITH**

**Civil Application NO. 484 OF 2013  
IN  
First Appeal (ST) NO. 33624 OF 2012**

The Commissioner, Nashik  
*Municipal Corporation, Nashik*

...Applicant

*Versus*

Mr Vijay Bakwant Patil And Ors

...Respondent(s)

**WITH**

**Civil Application NO. 486 OF 2013  
IN  
First Appeal (ST) NO. 33620 OF 2012**



The Commissioner, Nashik  
Municipal Corporation, Nashik

...Applicant

*Versus*

Mr. Vijay Balvat Patil And Anr

...Respondent(s)

Mr. Murlidhar L. Patil for the Applicants in all the matters.

Mr. A.R. Patil, AGP for the State in all the matters.

Mr. Sameer Khedekar for Respondent Nos. 1 to 6 in CAF No. 380 of 2013 in FAST No. 33789 of 2012.

**CORAM : ANOOP V. MOHTA AND  
A.S. GADKARI, JJ.**

**DATE : 6 JUNE 2016.**

**ORDER:-**

Applicant-the Commissioner of Nashik Municipal Corporation, Nashik, has taken out these Civil Applications for condonation of delay in filing respective Appeals under Section 96 of the Civil Procedure Code, in the matters of acquisition of lands in question and basically in view of exorbitant enhancement in the compensation by the Reference Court vide impugned judgment and order dated 18 February 2004 in Land References.

2 All the Appeals are arising out of various references.

However, as the issues and submissions are common, in the interest of



justice and to avoid further delay and as the Appeals are of the year 2012 and are still pending for admissions and specifically for want of condonation of 113 days delay in filing the Appeals and as the contesting Respondents are duly served, except in certain matters/Appeals, where there are certain office objections, therefore, considering the totality of the matters and considering the averments so made in the Applications for condonation of delay and as the statement is made that in pursuance to order passed by this Court dated 20 February 2013, the amount has been deposited and as the State Government has no objection to condon the delay and other contesting Respondents, though served not present in the Court, and even otherwise as sufficient case is made out, all the Civil Applications for condonation of delay are granted in the following terms:-

**ORDER**

- a) All the Civil Applications for condonation of delay in filing the respective Appeals, are allowed.
- b) However, it is subject to the deposit of amount in pursuance to order dated 20 February 2013, if not already deposited.



- c) There shall be no order as to costs.
- d) The concerned Appellants to remove the office objections, if any, within four weeks from today.
- e) All the Appeals and the Applications for stay, be listed on board after four weeks from today.

**(A.S. GADKARI, J.)**

**(ANOOP V. MOHTA, J.)**