

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AT AURANGABAD.**

Civil Application No. 2649 of 2015
(In First Appeal Stamp No. 597 / 2015)

Godavari Marathwada Irrigation
Development Corporation,
through the Executive Engineer,
Latur Minor Irrigation Division,
Latur,
& another.

.. Applicants.

versus

Balaji s/o. Kashiram Patil.

.. Non-applicant.

.....

Mr. M.G. Kolse Patil, Advocate, for applicants.

Mrs. P.G. Sontakke, Advocate, for the non-applicant.

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CORAM : A.M. BADAR, J.

DATE : 27TH NOVEMBER 2015

PER COURT :

1. Today, the applicant / acquiring body is granted leave to file appeal challenging judgment and award passed by the learned Civil Judge (Senior Division), Ahmedpur [District : Latur], in L.A.R. No. 107/2011, dated 21-6-2012, by passing order in Civil Application No. 2648 of 2015.

2. This is an application for condonation of delay of 841 days caused in filing First Appeal under Section 54 of the Land Acquisition Act, 1894,

challenging judgment and award of the reference Court. The acquiring authority was not party to the reference proceedings. As such, the delay has occasioned.

3. The learned Counsel appearing for non-applicant no.1 submits that the condonation of delay should be subject to some costs upon applicants.

4. However, as the acquiring authority was not party to the reference proceedings, it is not desirable to saddle costs on it.

5. Perusal of application reflects sufficient cause in filing appeal belatedly. Hence, the Application is allowed. Delay is condoned. First Appeal be registered and numbered. The Civil Application stands disposed of accordingly.

(A.M. BADAR)
JUDGE

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