

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3080 OF 2010
IN F.A.ST. NO. 29203 OF 2009
(THE STATE OF MAHARASHTRA VS. VIJAYKUMAR GANESHLAL KASLIWAL & ANR)
WITH
CIVIL APPLICATION NO. 3074 OF 2010
IN F.A.ST. NO. 1953 OF 2010
(THE STATE OF MAHARASHTRA VS. SHESHRAO BHAGAJI THUBE & ORS)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders CORAM : A.M. BADAR, J. DATED : 30.11.2015
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Mr.S.B. Yawalkar, AGP for applicant.
 Mr.A.D. Kasliwal & Mr. N.L. Jadhav,
 Advocate for respondents.

1. These are applications for condonation of delay in filing appeals by the State. Delay caused in challenging award of Land Acquisition Officer is sought to be condoned.

2. Heard learned AGP as well as learned Counsels appearing for non-applicants. Learned Counsels appearing for non-applicants submit that the State was well aware about award by the learned Reference Court in as much as

it was appearing in the execution proceedings. Still delay is caused in challenging judgment and award of the Reference Court. It is further submitted that no sufficient cause is shown for condoning the delay.

3. Having heard learned Counsels appearing for the parties and on perusal of the applications, I am satisfied that delay deserves to be condoned in the interest of justice, so as to agitate the matter on merit. Averments made in applications are not countered by filing reply in CA No.3074 of 2010 and in CA No.3080 of 2010 affidavit in reply is filed with averment that factual details are absent from the application. However, for the reasons stated, delay is condoned. Applications are allowed. First Appeals be registered.

[A.M. BADAR, J.]