

FARAD CONTINUATION SHEET No.IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**CIVIL APPLICATION NO. 3310 OF 2012****IN****FIRST APPEAL ST. NO. 28585 OF 2011**

(The Executive Engineer, Minor Irrigation Canal Vs. The State of
Maharashtra & 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 : 20.11.2015
---	---

Mr.V.S. Panpatte, Advocate for the applicant.

Smt.S.S. Raut, AGP for respondent/State
Mr.S.S. Jadhavar, Advocate for R-3.

1. This is an application by the acquiring body challenging the judgment and award of the Reference Court enhancing the compensation.

2. Heard. Learned Counsel for non-applicant No.3 seriously objected the application by contending that there is no sufficient cause to condone the delay in lodging the appeal.

3. The delay in filing the appeal is of 974 days. It is eloquently explained in the application. The averments in the application are not countered by filing counter affidavit. Primary duty of the Court is to adjudicate the appeal on its own merit, rather than adhering to technicalities of law.

4. Hence, application is allowed. Delay is condoned. The appeal be registered.

[A.M. BADAR, J.]