

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

**CIVIL APPLICATION NO. 11969 OF 2014
IN
CROSS-OBJECTION (ST.) NO. 28108 OF 2014
IN
FIRST APPEAL NO. 1987 OF 2012**

Shantibai Bhivsan & Ors.

...Applicants

versus

Executive Engineer,
Dhule Medium Project,
Division No. 1, Dhule,
Sinchan Bhavan, Sakri Road,
Dhule & anr.

...Respondents

.....
Mr. R. C. Patil, Advocate for applicants.
Mr. A. D. Pawar, Advocate for respondent No. 1.
Mr. S. P. Daund, A. G. P. for respondent/State.
.....

CORAM : N.W. SAMBRE, J.

DATE : 27TH MARCH, 2015

ORAL ORDER :

. There is delay of 560 days in preferring cross objection. The reasons cited by the applicants is that they were busy in earning livelihood being landless persons. It is not in dispute that Reference Court by judgment in question passed in Reference has ordered payment of amount of Rs.1,87,172/- with 30% solatium (Rs. 56,152/-), 12% interest (Rs. 70,827/-) total Rs. 3,14,151/-. In view thereof, there is no doubt about statement in affidavit in the

application for condonation of delay that petitioners have become landless persons.

2. Be that as it may, this Court, having regard to the social back ground of the applicants, is inclined to condone delay subject to costs of Rs.3500/- (Rs. Three thousand five hundred only) to be paid to the Library, High Court Bar Association, Bench Aurangabad within period of six weeks from today. Failure to deposit cost as ordered herein above within time stipulated, shall result in dismissal of the application without reference to the Court.

3. In case, if the cost is paid within time stipulated, the matter be placed for consideration in June 2015.

[N.W. SAMBRE, J.]