

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

**CIVIL APPLICATION NO. 1911 OF 2016
WITH
CIVIL APPLICATION NO. 1913 OF 2016
IN
FIRST APPEAL STAMP NO. 3271 OF 2016**

The GMIDC, Nimna Dudhana
Project, Division at Selu.

..... APPLICANT

V E R S U S

Milind Haribhau Mirge
died – Thr. L.Rs. & Ors.

.... RESPONDENTS

WITH

**CIVIL APPLICATION NO. 1914 OF 2016
WITH
CIVIL APPLICATION NO. 1916 OF 2016
IN
FIRST APPEAL STAMP NO. 3263 OF 2016**

WITH

**CIVIL APPLICATION NO. 1917 OF 2016
WITH
CIVIL APPLICATION NO. 1919 OF 2016
IN
FIRST APPEAL STAMP NO. 3267 OF 2016**

WITH

**CIVIL APPLICATION NO. 1920 OF 2016
WITH
CIVIL APPLICATION NO. 1922 OF 2016
IN
FIRST APPEAL STAMP NO. 3283 OF 2016**

WITH

**CIVIL APPLICATION NO. 1923 OF 2016
WITH
CIVIL APPLICATION NO. 1925 OF 2016
IN
FIRST APPEAL STAMP NO. 3279 OF 2016**

WITH

**CIVIL APPLICATION NO. 1926 OF 2016
WITH
CIVIL APPLICATION NO. 1928 OF 2016
IN
FIRST APPEAL STAMP NO. 3275 OF 2016**

WITH

**CIVIL APPLICATION NO. 1930 OF 2016
WITH
CIVIL APPLICATION NO. 1932 OF 2016
IN
FIRST APPEAL STAMP NO. 3259 OF 2016**

WITH

**CIVIL APPLICATION NO. 1934 OF 2016
WITH
CIVIL APPLICATION NO. 1936 OF 2016
IN
FIRST APPEAL STAMP NO. 38299 OF 2016**

WITH

**CIVIL APPLICATION NO. 1937 OF 2016
WITH
CIVIL APPLICATION NO. 1939 OF 2016
IN
FIRST APPEAL STAMP NO. 38291 OF 2016**

WITH

**CIVIL APPLICATION NO. 1940 OF 2016
WITH
CIVIL APPLICATION NO. 1942 OF 2016
IN
FIRST APPEAL STAMP NO. 38304 OF 2016**

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Mr. A.M.Gaikwad, Advocate for Applicant.

Mr. C.V.Dharurkar, Mr. A.R.Borulkar,

Ms. R.P.Gour, Mr. K.N.Lokhande,

Mr. S.R.Yadav, A.G.P. for Resp. - State.

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CORAM : T.V.NALAWADE, J.

DATE : 17th FEBRUARY, 2016

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ORAL ORDER :-

. Learned counsels for both sides are heard.

2. The applications are filed by acquiring body as the acquiring body wants to challenge the decision of the Reference Court. The acquiring body was not made party in the References. It is settled law that the acquiring body needs to be heard as it is required to pay the compensation. It is contended that after getting the knowledge of the Award, steps were taken and due to that delay is caused. In some cases, delay of 100 days, 31 days, 131 days is caused.

3. In view of the contentions and the submissions made, this Court holds that delay needs to be condoned. As the acquiring body needs to be heard, it needs to be allowed to file Appeal.

4. In the result, applications for condonation of

delay and applications for leave to file Appeal are allowed.

[T.V.NALAWADE, J.]

KNP/C.A. 1911.....2016 IN F.A. St. 3271.2016.odt