

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.5388/2015 & 5390/2015

**6 CIVIL APPLICATION NO. 5388 OF 2015
IN
FAST/7853/2015
WITH
CA/5390/2015 IN FAST/7947/2015**

THE EXECUTIVE ENGINEER MINOR IRRIGATION PROJECT
OSMANABAD
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr.Badakh Vishal S.
AGP for Respondent State:Mr.R.B.Bagul

...
CORAM : P.R. BORA, J.
Dated: April 15, 2016

...
PER COURT :-

1. Heard learned Counsel for the appellant. Respondent no.3 i.e. original claimant, though is served, has not entered his appearance. This is an application seeking condonation of delay which has occasioned in filing the appeal by the acquiring body against the judgment and award passed in LAR Nos. 149/2005 and 415 of 2002).

2. Learned Counsel appearing for the appellant submitted that in complying with the procedural requirements and in seeking sanction from the competent authorities, the time was consumed and that is the reason that the delay has been caused in filing the present appeals.

3. Learned Counsel submitted that the Reference Court has awarded the compensation at the rate of Rs.3,000/- per R. whereas the Special Land Acquisition Officer had determined the -

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

CA NO.5388/2015 & 5390/2015

same at the rate of Rs.270/- per R. Learned Counsel submitted that the appellant needs to be given an opportunity to contest the matter on merits. Considering the submission so made and for the reasons stated in the application which, according to me, are just and sufficient, the delay is condoned.

Both the applications stand disposed of.

The appeals be registered in accordance with law.

Call for R & P.

(P.R. BORA, J.)

...