

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.5957 OF 2016group

**921 CIVIL APPLICATION NO. 5957 OF 2016
IN FAST/10205/2016**

WITH

CA/5960/2016 IN FAST/10205/2016

WITH

CA/5961/2016 IN FAST/10518/2016

WITH

CA/5963/2016 IN FAST/10518/2016

WITH

CA/5965/2016 IN FAST/10523/2016

WITH

CA/5966/2016 IN FAST/10523/2016

WITH

CA/5968/2016 IN FAST/10532/2016

WITH

CA/5969/2016 IN FAST/10532/2016

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT
MAJBUTIKARN DIVISION, OMERGA AND ORS
VERSUS
ABHIMAN NARHARI MEHTRE

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Advocate for Applicants : Mr.Karlekar Sujeet G., and
Mr.A.M.Phule, AGP
Mr.Patil Laxmikant C., Adv. for Respondent no.1.

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CORAM : P.R. BORA, J.
Dated: August 30, 2016

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PER COURT :-

1. Heard Shri Karlekar, learned Counsel appearing for the acquiring body and Shri L.C.Patil, learned Counsel appearing for the claimants in all these applications / appeals.

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2. Delay of 879 days has occurred in filing the present appeals. Shri Karlekar submitted that in seeking sanction from the higher authorities and in securing required documents to be annexed with the appeals, time was consumed and that is the reason the appeals could not be filed within the stipulated period of limitation. Learned Counsel submitted that there are valid grounds raised in exception to the awards impugned in the present appeals. He, therefore, prayed for allowing the present applications for condonation of delay so as to give opportunity to the acquiring body to contest the matter on merits.

3. Shri L.C.Patil, learned Counsel, has strongly opposed for condonation of delay stating that the reasons shown are insufficient for condonation of delay.

4. I have perused the applications. It appears to me that the delay has been sufficiently explained. I am, therefore, inclined to allow the applications for condonation of delay and the same are allowed accordingly. Civil Applications for condonation of delay stand disposed of.

5. The execution of the award/s impugned in the present appeals shall stand stayed subject to deposit of the entire amount under the respective awards along with the

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interest accrued thereon by the applicant acquiring body in this Court within a period of ten weeks from the date of this order. Civil Applications for grant of stay stand disposed of.

6. Issue notice to the respondents in the respective appeals returnable after six weeks. Learned Counsel Mr. L.C.Patil waives service for original claimants. Service complete. Keep the appeals for admission after six weeks. S.O. 11.10.2016.

(P.R. BORA, J.)

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