

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO. 10821 OF 2016
IN FAST/14419/2016
WITH CA/10825/2016 IN FAST/14916/2016
WITH CA/10829/2016 IN FAST/14913/2016

THE EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION,
OSMANABAD THROUGH GMIDC, AURANGABAD
VERSUS
SHIVAJI VITTHALRAO BHOITE AND ANOTHER

...

Advocate for Applicant : Mr. Sudhir G. Bhalerao.

Advocate for Respondent No.1 : Mr. Vivek Deshmukh.

AGP for Respondent No.2 : Mr. G. O. Wattamwar.

...

CORAM : **P. R. BORA, J.**

DATE : 03rd August, 2016.

P.C.:

. Heard Shri Bhalerao, learned counsel for the Applicant,
Shri Deshmukh, learned counsel appearing for the original Claimants
and Shri Wattamwar, learned AGP for Respondent / State.

2 Delay of 800 days has occurred in filing the present
appeals. It is the contention of the Appellant / Applicant that in
compliance of the procedural aspects and in obtaining sanctions at
different levels, time was consumed and that is the reason that the
appeals could not be filed within the stipulated period of limitation. The
learned counsel submitted that there are valid objections raised by the

Applicant / Appellant in exception to the impugned award, and as such, the Applicant / Appellant needs to be given an opportunity to contest the matters on merits.

3 Though the learned counsel for the original has Claimants opposed for condoning the delay, considering the grounds of objections raised in the memo of appeal in exception to the impugned awards, I am inclined to allow the present applications. Hence, the following order is passed –

O R E D R

- I. The delay caused in filing the present appeals is condoned.
- II. The appeals be registered in accordance with law.
- III. All the civil applications stand disposed of.

[P. R. BORA, J.]

ndm