

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.9481/2014

**917 CIVIL APPLICATION NO.9481/2014 IN
FAST/17536/2014**

EXECUTIVE ENGINEER, JALNA MINOR IRRIGATION
DIVISION, JALNA, UNDER G.M.I.D.C. AND OTHERS
VERSUS
JAGANNATH DADABHAU SATPUTE

...
Advocate for Applicant : Mr.B.R.Surwase
Smt.Asha D.Rakh, Adv., for respondent/sole.

...
CORAM : P.R. BORA, J.
Dated: October 19, 2016

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PER COURT :-

1. Delay of 1676 days has occurred in filing the present appeal by the acquiring body. Mr. B.R.Surwase, learned Counsel appearing for the acquiring body, submits that before the Reference Court, the present appellant was not properly represented and hence no material could be placed on record before the Reference Court. Learned Counsel further submitted that valid objections are raised in exception to the impugned judgment and as such, opportunity needs to be given to the acquiring body to contest the matter on merits.

2. Smt.Rakh, Learned Counsel appearing for the original claimants, has opposed for condonation of delay. However, after going through the contents of the

AGP/-

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application and more particularly after going through the fact that the acquiring body was not represented through independent Counsel before the Reference Court, I am inclined to allow this application. Hence, the following order:

ORDER

1. The application is allowed. Delay condoned.
2. The Appeal be registered in accordance with law.
3. After registration of the appeal, issue notice to the respondents in the appeal. Learned Counsel Smt. Rakh appears for respondent / original claimants. Service complete.
4. Place the appeal for admission on 30.11.2016.

(P.R. BORA, J.)

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AGP/-