

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.13490/2016grdelay

**925 CIVIL APPLICATION NO. 13490 OF 2016
IN FAST/27716/2016**

WITH

**CA/13492/2016 IN FAST/27858/2016 WITH
CA/13494/2016 IN FAST/27861/2016 WITH
CA/13496/2016 IN FAST/27886/2016 WITH
CA/13498/2016 IN FAST/27889/2016**

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION

VERSUS

ASARAM DATTA GADHAVE

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Advocate for Applicant : Mr.Patil Ruturaj C.
Mr.A.H.Koralkar, Adv., for respective respondent.

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CORAM : P.R. BORA, J.
Dated: October 07, 2016

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PER COURT :-

1. Issue notice to the respondents. Learned Counsel Shri A.H.Koralkar waives service for respondents in all these matters who are original claimants in respective Land Acquisition References.

2. In one matter, delay is of 797 days and in all other matters the delay is less than or about 300 days. Shri Ruturaj C.Patil, learned Counsel for the acquiring body submits that, in obtaining sanctions from different authorities and in collecting the documents and making arrangements for Court fees, time was consumed and that

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is the reason, the appeals could not be filed within the stipulated period of limitation. Learned Counsel submitted that the delay is unintentional and is for bona fide reasons. Learned Counsel further submitted that valid grounds are raised in exception to the impugned judgment and award and, as such, opportunity needs to be given to the acquiring body to contest the matters on merits.

3. Shri A.H.Koralkar, learned Counsel appearing for the respondents i.e. original claimants, has opposed for condonation of delay, stating that the reasons assigned are insufficient.

4. After having considered the submissions and more particularly, after having gone through the contents of the applications, it appears to me that the delay has been sufficiently explained. I am, therefore, inclined to allow the applications. Hence, the following order:

ORDER

1. Civil Applications for condonation of delay are allowed and disposed of. Delay condoned.

2. The Appeals be registered in accordance with law.

3. Issue notice to the respondents in the respective First Appeals. Shri Koralkar, learned Counsel appearing for respective claimants, waives service.

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4. Place the appeals for admission on 20/10/2016 for final disposal at admission stage.

(P.R. BORA, J.)

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