

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.13503/2016 cagr

**926 CIVIL APPLICATION NO. 13503 OF 2016
IN FAST/27713/2016 WITH CA/13504/2016 IN
FAST/27713/2016**

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION
VERSUS
A. HUSSAIN A. SHAKUR DESHMUKH

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Advocate for Applicant : Mr.Patil Raturaj C.

...
WITH

**927 CIVIL APPLICATION NO. 13505 OF 2016
IN FAST/27871/2016 WITH CA/13506/2016 IN
FAST/27871/2016**

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION
VERSUS
MOMAMMAD GAUS A. HUSSAIN DESHMUKH

...
**928 CIVIL APPLICATION NO. 13507 OF 2016
IN FAST/27868/2016 WITH CA/13508/2016 IN
FAST/27868/2016**

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION
VERSUS
A. MAMAN JAVED EKBAL DESHMUKH

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**929 CIVIL APPLICATION NO. 13509 OF 2016
IN FAST/27880/2016 WITH CA/13510/2016 IN
FAST/27880/2016 WITH CA/13511/2016 IN
FAST/27883/2016 WITH CA/13512/2016 IN
FAST/27883/2016**

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2) CA NO.13503/2016 cagr

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION
VERSUS
MOHAMAD HARUN A. HUSSAIN DESHMUKH

**930 CIVIL APPLICATION NO. 13513 OF 2016
IN FAST/27874/2016 WITH CA/13514/2016 IN
FAST/27874/2016 WITH CA/13515/2016 IN
FAST/27877/2016 WITH CA/13516/2016 IN
FAST/27877/2016**

THE EXECUTIVE ENGINEER, NIMNA DUDHANA PROJECT
DIVISION SELU, THR JALNA IRRIGATION
VERSUS
MOHAMMAD FARUKH A. HUSSAIN DESHMUKH

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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. Delay of around 485 days has arisen in these matters. 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 is the reason, the appeals could not be filed

AGP/-

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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 for condonation of delay. Hence, the Civil Applications for condonation of delay are allowed and disposed of. Delay condoned.

5. Heard learned Counsel on the applications for stay. The execution of the awards impugned in the present appeals shall stand stayed subject to deposit of the entire amount under each of the aforesaid awards along with the interest accrued thereon by the applicant / appellant in this Court within a period of twelve weeks from the date of this order.

AGP/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
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Civil Applications seeking stay are allowed as above and stand disposed of.

6. The Appeals be registered in accordance with law. Issue notice to the respondents in the respective First Appeals. Shri Koralkar, learned Counsel appearing for respective claimants, waives service. Place the appeals for admission after six weeks.

(P.R. BORA, J.)

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