

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1007 CIVIL APPLICATION NO. 2828 OF 2017
IN FAST/2814/2017 WITH CA/2826/2017 IN FAST/2765/2017 WITH
CA/2827/2017 IN FAST/2765/2017 WITH CA/2829/2017 IN
FAST/2814/2017 WITH CA/2830/2017 IN FAST/2819/2017 WITH
CA/2831/2017 IN FAST/2819/2017 WITH CA/2832/2017 IN
FAST/2811/2017 WITH CA/2833/2017 IN FAST/2811/2017 WITH
CA/2834/2017 IN FAST/2808/2017 WITH CA/2835/2017 IN
FAST/2808/2017

THE EXECUTIVE ENGINEER, KRSHNA KHORE VIKAS MAHAMANDAL,
OSMANABAD AND ANR
VERSUS
VASANT SHARNAPPA PATIL

...
Advocate for Applicants : Mr. Badakh Vishal S.
Advocate for Respondents : Mr. L.C. Patil
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CORAM : V. K. JADHAV, J.
DATED : 7th JULY, 2017

PER COURT:-

1. Heard both sides.
2. Learned counsel for the applicant acquiring body submits that due to some administrative difficulties the appeals could not be preferred within limitation. The delay is not intentional one and the applicant acquiring body was prevented from sufficient cause to prefer appeals within limitation. Learned counsel for the respondents original claimants has strongly resisted the applications on the ground that delay has not been explained satisfactorily.
3. In view of above submissions and for the reasons stated in the

civil applications, delay caused in filing first appeals is hereby condoned. Civil applications are disposed of.

4. In so far as stay applications are concerned, pending, the hearing and final disposal of first appeals, the execution, implementation and operation of the impugned judgment and award under appeals is hereby stayed on the condition that the applicant shall deposit entire amount under award with accrued interest thereon, in this Court, within a period of 12 (twelve) weeks from today, failing which the order granting stay shall stand vacated automatically without further reference to the Court. Civil applications for stay are accordingly disposed of.

5. In first appeals, issue notice to the respondents, returnable on 18.08.2017. Learned counsel waive notice for respondents-original claimants. Call for record and proceedings.

(V. K. JADHAV, J.)

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