

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD

CIVIL APPLICATION NO. 4818 OF 2017

WITH

FIRST APPEAL ST. NO.5445 OF 2017

WITH

CIVIL APPLICATION NO. 4819 OF 2017

The Executive Engineer,
Latur Minor Irrigation
Division, Latur and ors.

... Applicants

VERSUS

Balasaheb Narayan Mandade

... Respondent

.....

Mr. S.D.Dhongade, advocate for the applicant no.1

Mr. B.A.Shinde, A.G.P for appellant nos. 1 and 2

Mr. N.D.Kendre, advocate for respondent

.....

WITH

CIVIL APPLICATION NO. 4820 OF 2017

WITH

FIRST APPEAL ST. NO.5709 OF 2017

WITH

CIVIL APPLICATION NO. 4821 OF 2017

WITH

CIVIL APPLICATION NO. 4822 OF 2017

WITH

FIRST APPEAL ST. NO.5700 OF 2017

WITH

CIVIL APPLICATION NO. 4823 OF 2017

WITH
CIVIL APPLICATION NO. 4824 OF 2017
WITH
FIRST APPEAL ST. NO.5718 OF 2017
WITH
CIVIL APPLICATION NO. 4825 OF 2017

WITH
CIVIL APPLICATION NO. 4826 OF 2017
WITH
FIRST APPEAL ST. NO.5706 OF 2017
WITH
CIVIL APPLICATION NO. 4827 OF 2017

WITH
CIVIL APPLICATION NO. 4828 OF 2017
WITH
FIRST APPEAL ST. NO.5694 OF 2017
WITH
CIVIL APPLICATION NO. 4829 OF 2017

WITH
CIVIL APPLICATION NO. 4830 OF 2017
WITH
FIRST APPEAL ST. NO.5703 OF 2017
WITH
CIVIL APPLICATION NO. 4831 OF 2017

WITH
CIVIL APPLICATION NO. 4832 OF 2017
WITH
FIRST APPEAL ST. NO.5712 OF 2017
WITH
CIVIL APPLICATION NO. 4833 OF 2017

WITH
CIVIL APPLICATION NO. 4834 OF 2017

WITH
FIRST APPEAL ST. NO.5721 OF 2017
WITH
CIVIL APPLICATION NO. 4835 OF 2017

WITH
CIVIL APPLICATION NO. 4836 OF 2017

WITH
FIRST APPEAL ST. NO.5715 OF 2017
WITH
CIVIL APPLICATION NO. 4837 OF 2017

WITH
CIVIL APPLICATION NO. 4838 OF 2017

WITH
FIRST APPEAL ST. NO.5697 OF 2017
WITH
CIVIL APPLICATION NO. 4839 OF 2017

CORAM : K.L.WADANE, J.

DATED : 4th September, 2017

O R D E R :

Heard Mr. Dhongade, learned counsel for the applicant acquiring body, Mr. Shinde, learned A.G.P. for State and Mr. Kendre, learned counsel for the respondents original claimants. Delay 1099 of days has occurred in filing the appeals by the acquiring body.

2. Learned counsel for acquiring body submitted that in making procedural compliances, obtaining sanction and making provision for payment of court fees from the authority the time was consumed and therefore, the appeals could not be filed in time.

3. Learned counsel appearing for the respondents opposed condonation of delay on the ground that routine and usual nature of grounds are putforth for condoning 1099 days delay.

4. Learned counsel for the acquiring body has placed copy of order passed by this Court condoning delay in the matters filed by the same acquiring body, in which delay of 1024 was caused and same was condoned by this Court (Coram : P.R.Bora, J.) in Civil Application No. 2858 of 2017 with group of matters by order dated 28.7.2017.

5. I have gone through the afore said order passed by this Court and considered the submissions made by the learned counsel appearing for the parties. Having considered the

grounds/reasons mentioned in the applications for condonation of delay and having regard to the fact that public money is involved, I am inclined to allow the present applications. Hence, following order.

O R D E R

1. The applications for condonation of delay are allowed. Delay caused in filing appeals is condoned. The Appeals be registered in accordance with law. Civil Applications for condonation of delay are disposed of.

2. After registration of appeals, issue notice to the respondents. Shri Kendre, learned counsel waives service for the respondents/original claimants. Learned A.G.P. waives service for State. Service complete.

3. List the appeals for admission after four weeks. Call for R. and P.

4. The execution of the awards impugned in the present appeals shall stand stayed subject to deposit of entire amount under each of the aforesaid awards along with the interest thereon

in this Court by the appellant acquiring body
within twelve weeks from the date of this order.
Civil Applications for stay stand disposed of.

(K.L.WADANE, J.)

dbm