

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

1073 CIVIL APPLICATION NO. 5936 OF 2017
IN FAST/6405/2017

THE EX. ENGINEER, L.I.D. OMANABAD THR SUB DIV.
OFFICER, H.V. MORE LIFT IRRIGATION
VERSUS
VISHWANATH VITHAL UMBARE AD ORS

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Advocate for Applicant : Mr Arora Shyam C
Advocate for Respondents 1-4 : Mr Kolpe Mahendra B.

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CORAM : V.K. JADHAV, J.
Dated: July 21, 2017

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PER COURT :-

1. Heard the learned counsel for the applicant.
2. Learned counsel for the applicant-acquiring body submits that, due to some official difficulties appeal could not be preferred within the period of limitation. Delay is not intentional one and the applicant was prevented from sufficient cause to prefer an appeal within limitation.
3. Learned counsel for respondents-claimants submits that the application may be rejected.
4. In view of the above and for the reasons stated in the application, delay of 869 days caused in filing the appeal is hereby condoned. Civil application is accordingly allowed and disposed of.
5. In appeal, issue notice to the respondents, returnable on 22.9.2017. Learned counsel waives notice for respondents 1 to 4.
6. Call Record and Proceeding.

(V.K. JADHAV, J.)

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