

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

**CIVIL APPLICATION NO. 4767 OF 2017**

**IN**

**FAST NO. 6429 OF 2017**

The Exe. Engineer, Osmanabad  
M.I.D. Thr Babu Bhagwan Madke,  
Sub-Divn. Engineer, Osmanabad  
and others ... Applicants

VERSUS

Manik Ramchandra Hogale & ors. ... Respondents

.....

Mr. S.C.Arora, advocate for the applicants  
Mr. L.C.Patil, A.G.P for respondents 1 to 6

.....

**CORAM : K.L.WADANE, J.**

**DATED : 1st, September, 2017**

**O R D E R :**

This is an application filed by the  
appellant for condonation of delay of 839 days in  
filing First Appeal.

2. Heard both the sides.

3. Learned counsel appearing for respondent  
nos. 1 to 6 has opposed the application on the  
ground that there is inordinate delay in filing  
First Appeal.

4. I have gone through the grounds mentioned in the application for condonation of delay, from which it appears that the applicant is a Government institution and has to take approval and make budgetary provisions from the Government to file appeal. The applicant asked for the amount of court fee to file appeal. The time has consumed to receive the court fee and for other procedural aspect. In that process delay of 839 days has been caused.

5. For the reasons stated in the application, I am satisfied that the delay has been properly explained by the applicant/appellant. Therefore, the same needs to be condoned. Accordingly it is condoned.

6. Civil Application is disposed of.

**(K.L.WADANE, J.)**

dbm