

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

913 CIVIL APPLICATION NO. 6384 OF 2016  
IN FAST/6694/2016

EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION,  
OSMANABADTHR EXE ENGINEER,LIFT IRRIG  
VERSUS  
SARJERAO VITTHALRAO BHOITE AND ORS

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Advocate for Applicant : Mr Sangle Shirish G.  
Mr S P Sonpavale AGPfor respondent State  
Advocate for Respondents : Mr More Abhijit S

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CORAM : V.K. JADHAV, J.  
Dated: February 24, 2017

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**PER COURT :-**

1. Heard.
2. The learned counsel for the applicant submits that due to administrative difficulties, appeal could not be preferred within limitation and therefore delay of 706 days occurred in filing first appeal.
3. Learned counsel appearing for respondent original claimant strongly resisted the application.
4. In view of the submissions made on behalf of the applicant acquiring body and for the reasons stated in the application, delay of 706 days caused in filing the appeal is hereby condoned. Civil application is allowed and accordingly disposed of.
5. In appeal, issue notice to the Respondents, returnable 7.4.2017. Learned counsel waives notice for respondents claimants and learned AGP waives notice for respondent no. 2 and 3.
6. Call Record and Proceeding.

**( V.K. JADHAV, J. )**

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aaa/-