

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CIVIL APPLICATION NO. 4353 OF 2015
IN FAST/6767/2015 WITH CA/4354/2015 IN FAST/6767/2015

THE EXECUTIVE ENGINEER MINOR IRRIGATION
STRENGTHENING DIVISION OMERGA
VERSUS
GOVIND BALBHIM BANSODE AND ANOTHER

...
Advocate for Applicant : Mr. Kale Atul R.
Advocate for Respondent No.1: Mr. L.C. Patil
AGP for Respondent No.2 : Mr. P.G. Borade
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CORAM : V. K. JADHAV, J.
DATED : 30th JUNE, 2017

PER COURT:-

1. Heard both sides. Counsel for the respondent original claimants has no objection if the delay is condoned.
2. In view of the above and for the reasons stated in the civil application, I am satisfied that the applicant acquiring body has been prevented from sufficient cause to prefer an appeal within limitation. Thus, the delay of 599 days caused in filing the appeal is hereby condoned. Civil application is disposed of.
3. In so far as stay application is concerned, pending, the hearing and final disposal of first appeal, the execution, implementation and operation of the impugned judgment and award under appeal 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 application for stay is accordingly disposed of.

4. In first appeal, issue notice to the respondents, returnable on 11.08.2017. Learned counsel waives notice for respondent-claimants and learned A.G.P. waives notice for respondent-State/authority.

(V. K. JADHAV, J.)

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