

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 CIVIL APPLICATION NO. 10527 OF 2015
IN FAST/12075/2014 WITH CA/10528/2015 IN
FAST/12075/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

928 CIVIL APPLICATION NO. 10560 OF 2015
IN FAST/12054/2014 WITH CA/10561/2015 IN
FAST/12054/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

929 CIVIL APPLICATION NO. 10562 OF 2015
IN FAST/12063/2014 WITH CA/10563/2015 IN
FAST/12063/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

930 CIVIL APPLICATION NO. 10569 OF 2015
IN FAST/12087/2014 WITH CA/10570/2015 IN
FAST/12087/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA

DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

931 CIVIL APPLICATION NO. 10571 OF 2015
IN FAST/12072/2014 WITH CA/10572/2015 IN
FAST/12072/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

932 CIVIL APPLICATION NO. 10573 OF 2015
IN FAST/12048/2014 WITH CA/10574/2015 IN
FAST/12048/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

933 CIVIL APPLICATION NO. 10575 OF 2015
IN FAST/12069/2014 WITH CA/10576/2015 IN
FAST/12069/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

934 CIVIL APPLICATION NO. 10581 OF 2015
IN FAST/12078/2014 WITH CA/10582/2015 IN
FAST/12078/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

935 CIVIL APPLICATION NO. 10588 OF 2015
IN FAST/12066/2014 WITH CA/10589/2015 IN
FAST/12066/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

936 CIVIL APPLICATION NO. 10590 OF 2015
IN FAST/12090/2014 WITH CA/10591/2015 IN
FAST/12090/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

WITH

937 CIVIL APPLICATION NO. 10592 OF 2015
IN FAST/12060/2014 WITH CA/10593/2015 IN
FAST/12060/2014

THE EXECUTIVE DIRECTOR, GODAWARI MARATHWADA
DEVELOPMENT CORPORATION, AURAGABAD
VERSUS
THE COLLECTOR, NANDED AND OTHERS

...

Advocate for Applicant : Dhongade Suresh D.
AGP for Respondents no. 1 & 2: Mr. S. M. Ganachari.
Advocate for Respondents no.3 & 4 : Mr. G. N. Chincholkar.

...

CORAM : PR. BORA, J.**DATE : 05-07-2017.****P.C. :**

1) Heard Shri Dhongade, learned Counsel appearing for the acquiring body and Shri Chincholkar, learned Counsel appearing for the respondents / original claimants. The delay of 498 days has occurred in filing these appeals by the acquiring body. It is the contention of the applicant that in compliance with the procedural requirements the time was consumed and that is the reason that the appellant could not file the appeals within the period of limitation. Shri Chincholkar has opposed for condoning the delay stating that the reasons which are assigned are insufficient. Learned Counsel submitted that for administrative compliance no delay of such a huge period can occur.

2) I have considered the submissions made on behalf of the applicants. The reasons which are assigned in the application for condonation of delay cannot be outrightly rejected. Though there is reason to believe that negligence on part of the concerned officers is also one of the reason for occurrence of delay, it cannot be ignored that the public money is involved in these matters. In

the circumstances, the appeals filed by the acquiring body need to be heard on their merits and cannot be rejected on the ground of delay. Therefore, I am inclined to allow the applications. Hence, the following order.

ORDER

1. The applications are allowed. Delay caused in filing the appeals is condoned.
2. Appeals be registered in accordance with law.
3. Civil Applications stand disposed of.
4. On registration of the appeal, issue notice to the respondents. Shri Chincholkar, waives for respondents i.e. original claimants. Service complete.
5. List the matters for final disposal at the admission stage on 19th July, 2017. Call for R & P
6. The execution of the awards impugned in the present appeals shall stand stayed subject to deposit of the entire amount under the aforesaid awards with interest thereon by the acquiring body in this court within twelve weeks from the date of this order. Civil Applications for stay stand disposed of.

(P.R. BORA)
JUDGE