

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

16 CIVIL APPLICATION NO. 7496 OF 2017
IN FAST/13292/2017 WITH CA/7498/2017 IN FAST/14237/2017

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, OSMANABAD
AND ANR
VERSUS
KAMALBAI SRIMANT SAVANT

...

Advocate for Applicants : Mr. Patil Ruturaj C.
Advocate for Respondents : Mr. Sontakke Gajanan K. &
P.G. Sontakke

CORAM : K. L. WADANE, J.

DATE : 6th September, 2017

ORDER:

1. Heard Mr. Patil, learned counsel appearing for the applicants. None present for the respondents.

2. Both the applications are for condonation of 1114 days delay caused for filing appeals. According to applicant delay is caused due to procedural aspect to be followed by the applicants to obtain legal opinion and to obtain permission and sanction to file appeal. The applicant was required to spend huge amount on litigation. Number of matters are pending in various courts related to various water tanks, irrigation projects undertaken by Godawari Marathwada Irrigation Development Corporation Ltd. The applicants have to obtain financial sanctions from various authorities. At the same time due to non availability of the funds, the

applicants face lot of difficulties to arrange the amount of court-fees and all the reasons are beyond the control of the applicants.

3. For the reasons stated in the applications, I am satisfied that the applicants were prevented from certain causes to file appeals within time, particularly mentioned in para No. 2(i) to (iv) of the applications. Hence, delay caused for filing appeals is condoned.

4. Civil Applications are disposed of

5. In first appeal issue notice to the respondents returnable on 04.10.2017.

(K. L. WADANE, J.)

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