

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

921 CIVIL APPLICATION NO. 10728 OF 2016
IN FAST/16186/2016 WITH CA/10729/2016 IN FAST/16186/2016 WITH
CA/10769/2016 IN FAST/16155/2016 WITH CA/10770/2016 IN
FAST/16155/2016

THE MAHARASHTRA KRUSHNA VALLY DEVELOPMENT CORPORATIONTHROUH ITS
EXE ENG MED PRO
VERSUS
MURLIDHAR GANPAT BHOSALE AND ORS

Advocate for Applicant : Mr. Anil M. Gaikwad
AGP for Respondents: Mr. S.R. Yadav

CORAM : K.K. SONAWANE, J.

DATE : 15th September, 2017.

PER COURT:

1] Heard learned counsel for the applicant, and learned AGP for respondents No.14. Despite service of notice, none appears for respondents Nos. 1 to 13. Perused the application, There is a delay of 342 days for filling the appeal. It has been contended that the delay caused for filing the first appeal is not intentional and deliberate but it has been caused due to compliance of office procedure. The applicant is independent Corporation and after obtaining legal advice from the panel counsel and requisite approval from the divisional office, the appeal came to be filed hence, the learned counsel prayed to condone the delay.

2] Learned AGP prayed for suitable orders in the interest of justice.

3] Though respondent Nos. 1 to 13 are absent, considering he reasons mentioned in the application, and the nature of proceeding, I do not find any impediment to condone the delay. It is justifiable to grant one

more opportunity to the applicant to ventilate its grievance against the findings expressed by the learned Reference Court in the appellate forum. According to learned counsel for applicant, exorbitant amount of market value came to be granted for the lands of claimant/respondent Nos. 1 to 13. Admittedly, in case the application is not allowed no one is going to be affected but the public interest is at stake. Hence, in the interest of justice, the applications deserve to be allowed. Accordingly, the same are allowed in terms of prayer clause (A). Delay caused for filing the first appeal is hereby condoned. Registry to take requisite steps for further process. List the appeals for final hearing at admission stage in due course.

[K.K. SONAWANE]
JUDGE.

grt/-