

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

976 CIVIL APPLICATION NO. 14956 OF 2016
IN FAST/16360/2016 WITH CA/14958/2016 IN FAST/16360/2016
MAHARASHTRA HOUSING AND AREA DEVELOPMENT AURANGABAD
THR THE CHIEF OFFICER, AURANG
VERSUS
BALIRAM VITHOBA CHALWAD DIED THR HIS LRS SHANKAR AND
ORS

...
Advocate for Applicants : Virdhe Bhushan V.
AGP for Respondents: S.P. Sonpawle
Advocate for Respondents : Gundre Suraj V for R/2 To 4 .

...
CORAM : V.K. JADHAV, J.
DATE : 17-03-2017.

P.C. :

1. Heard both the sides. The learned counsel for the applicant submits that due to some administrative difficulties the appeal could not be preferred within limitation and therefore the delay has occurred. The counsel for the respondent-original claimant has not strongly resisted the application.

2. In view of the above submission and for the reasons stated in the civil application, delay of 246 days caused in filing the first appeal is hereby condoned. Civil application is allowed and accordingly disposed of.

3. The operation, implementation and execution of the impugned judgment and award is hereby stayed on the condition that the applicants shall deposit entire amount under award in this

Court, within a period of 8 weeks from today, failing which this order granting stay shall stand vacated automatically without reference to this Court. Civil application for stay is accordingly disposed of.

4. Heard. Issue notice to the respondents, returnable on 05.05.2017. Learned counsel waives for the respondent original claimants and learned A.G.P. waives for respondent-state. Call for record and proceedings.

(V.K. JADHAV)
JUDGE