

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

**CIVIL APPLICATION NO. 5564 OF 2015
IN
FIRST APPEAL STAMP NO. 16034 OF 2014**

The Executive Engineer, Irrigation Project
OMP. East Division Osmanabad

...APPLICANT

versus

Mohd Abdul Sattar Mohd. Khan Pathan
(Dead) Through LRs. Latifabegum Sattar
Khan Pathan and others

...RESPONDENT

.....
Mr. Shirish S. Sangale, Advocate for applicant
Respondent No. 1 through L
Mr. C.V. Dharurkar, AGP for respondent No. 2
.....

CORAM : K.K. SONAWANE, J.

DATED : 31st AUGUST, 2017.

Order :-

1. Heard learned counsel for the applicant-Acquiring Body and learned counsel for respondent No. 1 through his L.Rs. As well as as learned AGP for respondent No. 2.
2. Perused the application. According to learned counsel for the applicant, delay so caused is not intentional or deliberate, but caused due to compliance of official process.
3. The learned counsel for respondent-original claimant has no objection to condone the delay. The learned AGP also prayed suitable order in the interest of justice may be passed.

4. For the reasons stated in the civil application, the same is allowed in terms of prayer clause "B". The delay caused in filing the first appeals against the impugned judgment and award is hereby condoned. Registry to requisite steps for further process. After registration of appeal, list the same for hearing on admission
26-09-2017

5. The civil application is allowed in aforesaid terms and disposed of.

Sd./-

[K. K. SONAWANE]
JUDGE

MTK