

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**BENCH AT AURANGABAD**  
929 CIVIL APPLICATION NO. 8990 OF 2017  
IN FAST/20478/2017

CHIEF EXECUTIVE OFFICER, ZILLA PARISHAD, OSMANABAD  
VERSUS

BABU NAGU PAWAR (DIED) THR LRS PARVATI AND ORS

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Advocate for Applicant : Mr. Bondar U.b. And V.C. Patil

AGP for Respondents No. 10 and 11 : Mr. A.M. Phule.  
Advocate for Respondents No. 2 to 9 : Mr. P. A. Bharat  
& Nagesh Talek

**CORAM : K. L. WADANE, J.**

**DATE : 6th October, 2017**

**ORDER:**

1. Heard the learned counsel appearing for the applicant, learned counsel appearing for the respondents NO. 2 to 9 and learned A.G.P. appearing for the respondents No. 10 and 11.

2. This is an application for condonation of 434 days delay caused for filing First Appeal on the ground that, the impugned judgment and Award passed by the Reference Court on 11.01.2016. The application for certified copies was submitted on 25.01.2017. The copies were delivered on 17.02.2017. Thereafter the applicant/Chief Executive Officer, Zilla Parishad, sought legal opinion from the panel advocates. The applicant sought necessary documents and permission

from the office of the Special Land Acquisition Officer. In that process delay had been caused for filing an appeal.

3. The learned counsels appearing for the respondents No. 2 to 9, 10 and 11 opposes the application on the ground that there is huge delay.

4. From the contents of the application it appears to me that the delay caused to file first appeal is satisfactorily explained and it is not intentional, therefore needs to be condoned.

5. Civil application is allowed. Delay caused for filing first appeal is condoned.

6. In the First Appeal issue notice to the respondents. Learned counsel waives notice for respondents No. 2 to 9 and learned A.G.P. waives notice for respondents No. 10 and 11.

7. Call record and proceedings.

**(K. L. WADANE, J.)**

mkd