

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.12635/2016gr

926 CIVIL APPLICATION NO. 12635 OF 2016

IN FAST/24372/2016

WITH

CA/12637/2016 IN FAST/24593/2016

WITH

CA/12639/2016 IN FAST/24580/2016

WITH

CA/12641/2016 IN FAST/24587/2016

WITH

CA/12643/2016 IN FAST/24590/2016

WITH

CA/12645/2016 IN FAST/24584/2016

WITH

CA/12647/2016 IN FAST/24596/2016

THE EXECUTIVE ENGINEER, PROJECT STRENGTHENING DIVISION,
OMERGA AND ANR

VERSUS

KISAN BAPU SAGAR DEAD THR HIS LRS KALAWATI AND ORS

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Advocate for Applicants : Mr.Rajale Gulab B.

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CORAM : P.R. BORA, J.

Dated: June 13, 2017

PER COURT :-

1. In all these matters though the respondents i.e. original claimants are duly served, none of them has entered the appearance.

2. Delay of 794 days has occurred in filing these appeals by the acquiring body. Reasons are explained in the application in paragraph nos. 3 and 4. Shri Rajale, learned Counsel appearing for the appellant submitted that in obtaining necessary

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(2)

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sanctions at different levels and thereafter in collecting the amount of Court fees so as to prefer the appeals, the time was consumed and that is the reason that the appeals could not be filed within the period of limitation. Learned Counsel submits that the Reference Court has unreasonably enhanced the amount of compensation on some erroneous grounds and the acquiring body needs to be given an opportunity to agitate the appeals on merits.

3. Having regard to the reasons assigned for occurrence of delay, I am inclined to condone the delay so occurred. Hence, the following order:

ORDER

1. The delay caused in filing the appeals is condoned. Civil Applications for condonation of delay stands disposed of. The Appeals be registered in accordance with law.

2. After registration of the appeals, issue notice to the respondents in the appeals returnable six weeks. Call for R & P.

Place the appeals for admission on 25.7.2017.

(P.R. BORA, J.)

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agp/-