

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

1006 CIVIL APPLICATION NO. 12938 OF 2013
IN FAST/26384/2013 WITH CA/12939/2013 IN
FAST/26384/2013 WITH CA/12940/2013 IN
FAST/26420/2013 WITH CA/12941/2013 IN
FAST/26420/2013 WITH CA/12942/2013 IN
FAST/26423/2013 WITH CA/12943/2013 IN
FAST/26423/2013

THE STATE OF MAHARASHTRA AD OTHERS
VERSUS
BHAGWAT BABURAO SHERKAR, LRS. CHATURABAI AND
ANOTHER

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Advocate for Applicant : Mr B V Virdhe
Advocate for Respondents : P S Chavan For R/2

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CORAM : V.K. JADHAV, J.
Dated: July 21, 2017
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PER COURT :-

1. Heard.
2. The learned AGP for the applicant submits that due to some official difficulties appeal could not be preferred within the period of limitation. Delay is not intentional one and the applicant State is prevented from sufficient cause to prefer an appeal within limitation.
3. Learned counsel for respondent has not seriously objected the application seeking condonation of delay.
4. In view of the above submissions and for the reasons stated in the application, delay caused in filing the appeal is hereby condoned. Civil applications are accordingly allowed and disposed of.
5. In appeal, issue notice to the respondents, returnable on 15.9.2017. Learned counsel waives notice for respondents-claimants. Call Record and Proceeding.

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6. Heard learned counsel for the applicant on stay application/s. The applicant is ready to deposit the entire amount under the award within 12 (Twelve) weeks from today. Thus, the effect, execution and implementation of the impugned judgment and award is hereby stayed on the condition that, the applicant shall deposit the entire amount covered under award alongwith interest, within 12 (Twelve) weeks from today, in this court, failing which, stay granted by this order, shall stand vacated automatically without further reference to the Court.

7. Civil applications for stay accordingly disposed of.

(V.K. JADHAV, J.)

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