

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

918 CIVIL APPLICATION NO. 16691 OF 2010
IN FAST/32865/2010

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
AURANGABAD
VERSUS
TUKARAM GANGARAM ARADHWAD AND ORS

...
Advocate for Applicant : Mr. Shaikh U Shaikh h/f Mr. R.D. Biradar
AGP for respondent No. 2 : Mr. B.V. Virdhe

WITH
CIVIL APPLICATION NO. 16711/2010 IN FAST/32915/2010

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CORAM : K.K. SONAWANE, J.

DATED : 10TH OCTOBER, 2017.

Order :-

1. Mr. Shaikh holding for Mr. R.D. Biradar learned counsel for the applicant -Acquiring Body on record seeks accommodation for taking steps into the matters. The record of the proceedings adumbrates that the present applications for condonation of delay are pending since year 2010. The applicant-appellant did not take any precaution with due diligence to prosecute the matters. Several opportunities were granted to the applicant to secure presence of respondents - original claimants. But, entire efforts found unavailing. These circumstances constrained this Court to pass order dated 18-09-2017 to take steps against respondents till next date, failing to which application/s/appeal/s

shall stand dismissed as against unserved respondents without further reference to this Court. This order did not evoke result. As usual, applicant-appellant remained idle and did not take steps. Ultimately, proceedings of applications for condonation of delay came to be dismissed against unserved respondents.

2. It is to be noted that when the applications itself came to be dismissed against respondents for not taking steps for service of notice of applications to them, no question arises for further process into the matter. The matter become infructuous and nugatory one. There is no propriety to keep the applications pending for further process. In view of lackadaisical and lethargic approach on the part of officials of the applicant – Acquiring Body, applications deserve to be rejected. Accordingly applications stand dismissed. No order as to costs

Sd/-
[K. K. SONAWANE]
JUDGE

mtk.