

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

**CIVIL APPLICATION NO. 15661 OF 2016
IN
FIRST APPEAL STAMP NO. 31306 OF 2016**

Executive Engineer Nimna Dudhna
Project Sailu now Executive
Engineer Aurangabad and another ...APPLICANTS

versus

Bhauasaheb Bapusaheb Mhasurp and
another ...RESPONDENTS

Mr. B.R. Surwase, Advocate for applicants

CORAM : K.K. SONAWANE, J.

DATED : 11th SEPTEMBER, 2017.

Order :-

1. Heard learned counsel for the applicants - appellants. Despite service of notice, none has caused appearance on behalf of respondents - original claimants. It has contended that the applicant-Acquiring Body has deposited the entire decretal amount in this court. According to learned counsel, the learned Reference Court has granted exorbitant compensation amount for the land acquired in this case. He submits that the so-called delay is not intentional, but it caused due to compliance of official formalities.

2. As referred supra, none appears for the respondents, in such circumstances, no opportunity is received to hear them on this application. Considering the reasons mentioned in the application, I do not find any impediment to allow the application for condonation of

delay. It would not cause injustice or prejudice to the respondents. In contrast, It would sub-serve the purpose for substantial justice. Hence, application is allowed in terms of prayer clause "B". The delay caused to present the appeal against the impugned Award is hereby stands condoned. Registry to take requisite steps for further process.

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

Sd/-

[K. K. SONAWANE]
JUDGE

MTK