

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

921 CA/15569/2015
IN FAST/31917/2015

EXECUTIVE ENGINEER, MEDIUM PROJECT DIVISION, JALGAON
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Shelke S.D.
AGP for Respondent Nos.1 & 2/State : Mr. S.R. Yadav

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CORAM : K.K. SONAWANE, J.
DATE : 22nd September, 2017

PER COURT :

1. Heard learned counsel for the applicant-Acquiring Body. Despite service of notice, none appears for respondent Nos.3-A to 3-D. Perused the application.

2. Present application is filed by the applicant-Acquiring Body for condonation of 621 days caused in preferring the Appeal against the impugned Judgment and Award passed by the Reference Court in Reference Petition filed by the respondents-original claimants under Section 18 of the Land Acquisition

Act, 1894. The delay in companion matters has already been condoned and same are listed for admission before this Court. In such circumstances, I find it just and proper to condone the delay and reasonable opportunity is required to be given to the applicant to ventilate the grievances before the Appellate Forum. In this situation, the application stands allowed in terms of prayer clause "B". The delay so caused in preferring the appeal against the impugned Judgment and Award is hereby condoned. Registry to take requisite steps for further process.

3. On registration of Appeal, Re-issue notice to the respondents, returnable on 8th November, 2017. Learned A.G.P. waives service of notice on behalf of respondent Nos.1 and 2 – State.

4. After compliance of the proper formalities, keep the appeal for hearing at the stage of admission.

(K.K. SONAWANE, J.)

