

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

944 CIVIL APPLICATION NO.14346 OF 2016
IN
FAST/33043/2016

WITH

CA/14322/2016 IN FAST/33052/2016 WITH
CA/14324/2016 IN FAST/33055/2016 WITH
CA/14327/2016 IN FAST/33061/2016 WITH
CA/14329/2016 IN FAST/33058/2016 WITH
CA/14335/2016 IN FAST/33040/2016 WITH
CA/14338/2016 IN FAST/33036/2016 WITH
CA/14342/2016 IN FAST/33049/2016 WITH
CA/14365/2016 IN FAST/33032/2016 WITH
CA/14368/2016 IN FAST/33026/2016 WITH

CIVIL APPLICATION NO. 14318/2016 IN
FAST/33011/2016

WITH

CA/14360/2016 IN FAST/33023/2016

WITH

CA/14356/2016 IN FAST/33020/2016 WITH
CA/14320/2016 IN FAST/33046/2016 WITH
CA/14331/2016 IN FAST/33017/2016 WITH
CA/14333/2016 IN FAST/33029/2016 WITH
CA/14352/2016 IN FAST/33014/2016

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THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION
NO.1, AHMEDNAGAR (THR MKVDC)

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

Advocate for Applicant : Mr.Rajale Gulab B.

Mr. SP sonpawale, AGP For R/1;

Mr. Shinde Chandrakant K. Adv For Resp./orig.

claimants

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CORAM : P.R.BORA, J.

DATE : 5th July, 2017.

PER COURT :

1) All these applications are jointly taken up for hearing. Delay of 2,679 days has occurred in filing these appeals by the acquiring body. Learned Counsel appearing for the acquiring body submitted that procedural compliances was the only reason that the appeals could not be filed within the period of limitation. The learned Counsel submitted that the delay is unintentional and as such the appeals be heard on merits by condoning the delay.

5) Shri Shinde, learned Counsel appearing for the respondent/s i.e. original claimants in all these appeals, opposed for condoning the delay, stating that the huge delay has not been properly explained and no

case is made out for condoning the delay. In the alternative, Shri Shinde submitted that even otherwise, the grounds, which are raised in exception to the impugned Judgment and Award are untenable and if the learned Counsel for the acquiring body shows his readiness to argue the appeals immediately without asking for paper book and R. and P. etc, the respondents may not have any objection to condone the delay and take up the matters for final disposal immediately.

6) Shri Rajele, was prompt enough in submitting that he is ready to argue the appeals finally on the basis of the material available on record.

7) In view of the above, the civil applications for condonation of delay are allowed and disposed of. The delay caused in

filing these appeals is condoned. The appeals
be registered in accordance with law.

(P.R.BORA,J.)

bdv/