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

6 CIVIL APPLICATION NO. 864 OF 2017  
IN FAST/33307/2016

WITH CA/866/2017 IN FAST/33476/2016  
WITH CA/869/2017 IN FAST/33533/2016  
WITH CA/871/2017 IN FAST/33536/2016  
WITH CA/873/2017 IN FAST/33557/2016  
WITH CA/875/2017 IN FAST/33515/2016  
WITH CA/877/2017 IN FAST/33554/2016  
WITH CA/879/2017 IN FAST/33518/2016  
WITH CA/881/2017 IN FAST/33551/2016  
WITH CA/883/2017 IN FAST/33521/2016  
WITH CA/885/2017 IN FAST/33548/2016  
WITH CA/890/2017 IN FAST/33563/2016  
WITH CA/892/2017 IN FAST/33479/2016  
WITH CA/897/2017 IN FAST/33542/2016  
WITH CA/902/2017 IN FAST/33482/2016  
WITH CA/906/2017 IN FAST/33485/2016  
WITH CA/908/2017 IN FAST/33539/2016  
WITH CA/910/2017 IN FAST/33545/2016  
WITH CA/914/2017 IN FAST/33569/2016  
WITH CA/919/2017 IN FAST/33566/2016  
WITH CA/922/2017 IN FAST/33560/2016  
WITH CA/926/2017 IN FAST/33473/2016  
WITH CA/928/2017 IN FAST/33572/2016  
WITH CA/930/2017 IN FAST/33512/2016  
WITH CA/932/2017 IN FAST/33530/2016  
WITH CA/934/2017 IN FAST/33527/2016  
WITH CA/936/2017 IN FAST/33524/2016

EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,  
OSMANABAD AND ORS

VERSUS

HURMATBEE NASIM PATHAN

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Mr. S.G. Sangle, Advocate for Applicants.

Mr. L.C. Patil, Advocate for the Respondent.

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**CORAM : K.K. SONAWANE, J.**

**DATE : 26<sup>th</sup> September, 2017**

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**ORDER:**

1. Heard learned counsel for the applicant/s-Acquiring Body and the learned counsel for the respondent/original claimant.

2. These applications are filed for condonation of delay in filing the First Appeal against the impugned Judgment and Award passed by the learned Reference Court, Osmanabad.

3. According to the learned counsel for the applicant/s-Acquiring Body, the delay is not intentional or deliberate, but caused due to compliance of official process. In such circumstances, he prayed to condone the delay.

4. The learned counsel for the respondent claimant fairly conceded to condone the delay sought on behalf of applicant/s-Acquiring Body.

5. I have perused the relevant documents. Admittedly, the matter pertains to the land

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acquisition proceedings. The applicant/s-Acquiring Body agitated the market value determined by the Reference Court in the proceeding filed by the respondents-original claimant under Section 18 of the Land Acquisition Act. It has been alleged that the Reference Court granted the enhancement of compensation amount in excessive and exorbitant manner.

6. In view of all these circumstances and the reasons mentioned in the applications as well as no objection on behalf of respondent-original claimant, there is no impediment to condone the delay. Hence, the applications stand allowed in terms of prayer clause **(B)**. Delay caused in filing the appeal against the impugned Judgment and Award is hereby condoned. Registry to take requisite steps for further process.

7. On registration of appeal, issue notice to the respondents-original claimant. Learned counsel Mr. L.C. Patil waives notice for respondents-original claimant.

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8. Meanwhile, Call for record and proceedings from the concerned Reference Court.

9. After compliance of procedural formalities, list the appeal for final hearing at the stage of admission, on 8.11.2017.

**(K.K. SONAWANE, J.)**

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