

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.451 OF 2017

**919 CIVIL APPLICATION NO. 451 OF 2017
IN FAST/33963/2016
WITH
CA/453/2017 IN FAST/33967/2016**

GMIDC AURANGABAD THROUGH ITS EXECUTIVE ENGINEER
URDHAV PRAVARA DHARAN VIGHAG SANGAMNER
VERSUS
SANGITA SHIVAJIRAO KARPE AND ANOTHER

...
Advocate for Applicant : Mr.Jadhavar Kiran B.
AGP for Respondent State: Mr. R.B.Bagul
Mr.Kute Rajendra L., Adv., for respondent no.1.

...
CORAM : P.R. BORA, J.
Dated: June 20, 2017
...

PER COURT :-

1. Delay of 1489 days has occurred in filing the present appeals. The only reason stated in justification of the delay caused is that in procedural requirements the time was consumed. The reasons are apparently unacceptable, however, the learned Counsel for the original claimants was fair enough in submitting that if the matter is finally heard without insisting for paper book or the record of the case, since the matter can be argued only on the basis of the material available on record, the original claimants concede for condonation of delay. One more factor which is brought to the notice of the Court for condonation of delay is that the acquiring body has already deposited amount of compensation and has shown bona fides. In view of the submission so made,

agp/-

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(2)

CA NO.451 OF 2017

following order is passed:

ORDER

1. The Applications are allowed. Delay caused in filing the appeals is condoned. The Appeals be registered in accordance with law. Civil Applications stand disposed of. After registration of the appeals, issue notice to the respondents. Shri Kute, learned AGP waives service for the respondents / original claimants. Learned A.G.P. waives service for respondent State.
2. List the matter on 28th of June, 2017, for final disposal at admission stage at 2.30 p.m. It is clarified that in no case, the matter will be adjourned since the delay has been condoned only on the condition that the matter will be argued immediately.

(P.R. BORA, J.)

agp/-