

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

CIVIL APPLICATION NO. 14296 OF 2017 IN RC/1205/2017
WITH CA/14297/2017 IN RC/1202/2017
WITH CA/14298/2017 IN RC/1204/2017
WITH CA/14299/2017 IN RC/1203/2017

EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
OSMANABAD
VERSUS
GOPINATH LAXMAN MANE DIED THR HIS LRS VIJAYKUMAR AND
ANR

...
Advocate for Applicant : Smt. S. D. Shelke, Ms. Kavita K. Teware.
Advocate for Respondent No.1 : Mr. G. K. Sontakke.
AGP for Respondent No.2 : Mr. S. R. Yadav-Lonikar.
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CORAM : K.K. SONAWANE, J.

DATED : 28th NOVEMBER, 2017.

Order :-

1. Heard learned counsel for the applicants, learned counsel for respondent No. 1 and learned AGP for respondent No.2 - State.
2. This Court under order dated 21st August, 2017, dismissed the civil applications filed for condonation of delay to present first appeals against the impugned judgment and award passed by the learned Reference Court. It has been submitted that due to unavoidable circumstances, the learned counsel for the applicants could not attend the matters, which resulted into dismissal of the applications. The matter pertains to the land

acquisition proceedings. Learned Reference Court has granted exorbitant amount in favour of the claimants, therefore, it is essential to restore all these civil applications for condonation of delay along with proposed proceeding of First appeals on record.

3. Considering the nature of subject matter and submissions advanced on behalf of learned counsel for the applicants, the civil applications are allowed in terms of prayer clauses "B and C". The delay caused in filing the present applications, if any, stands condoned. Accordingly, civil applications No. 428, 430, 432 and 435 of 2017 stand restored to its original stage. Registry to take requisite steps for further process and list all the civil applications for hearing on issue of delay condonation on 19th December, 2017.

4. The applicant to take steps against deceased respondent in civil application No. 435 of 2017 within two weeks after it's restoration.

[K. K. SONAWANE]
JUDGE

MTK.