

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

941 CIVIL APPLICATION NO. 3419 OF 2016  
IN FAST/2767/2016

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,  
OSMANABAD

VERSUS

SHIVAJI BABURAO KOKATE AND OTHERS

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Advocate for Applicant : Mr.Rodge Pratap G.

Advocate for Respondent No.1 : Mr.S.A.Wakure

AGP for Respondent/State : Mr.B.V.Virde

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**CORAM : M.S.SONAK, J.**

**DATE : 2.2.2018**

**PER COURT:-**

1) Heard learned counsel for the parties. Although the explanation for delay is not very proper, considering that the magnitude of the delay is about 756 days as against usual delay of over 1500 days, the delay is condoned subject to payment of costs of Rs.5,000/- in favour of the respondent No.1/claimant.

2) The amount of costs shall be deposited in this Court or paid to the respondent No.1 within a period of four

weeks from today. In case of failure, this civil application will be deemed to have been dismissed without any further reference to this Court.

3) In case, amount of costs is deposited within four weeks, the respondent No.1 shall be at liberty to withdraw the same unconditionally.

4) Upon deposit, Registry to place the appeal for admission.

5) Civil application is disposed of.

**[M.S.SONAK, J.]**