IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

87 CIVIL APPLICATION NO.6366 OF 2018
IN FAST/6777/2018
WITH
CA/6367/2018 IN FAST/6777/2018 WITH CA/6368/2018 IN FAST/7161/2018 WITH CA/6369/2018 IN FAST/7161/2018 WITH CA/6370/2018 IN FAST/7166/2018 WITH CA/6371/2018 IN FAST/7166/2018

THE EX. ENGINEER, MINOR IRRIGATION DIV. OSMANABAD
THRLIFT IRRIGATION DIV. OSMANA
VERSUS
ANANDRAO SAMBHAJI DHOLE
...
Advocate for Applicant : Mr.Patil Ruturaj C.
...

CORAM : P.R. BORA, J.
DATED : 24th SEPTEMBER, 2018.

PER COURT:-

1. Advocate Shri Laxmikant Patil submits that he has instructions to appear for respondents i.e. original claimants in CA No.6370/2018 and he has filed his Vakalatnama in the Registry. In other matters, though the respondents are duly served, none of them has entered appearance in the matter.

2. Delay of 1012 days has occurred in filing the appeals by the acquiring body. The reasons for occurrence of the delay are explained in para 2 of the application. It is contended that in making the procedural compliances as well as because of change of Division, the matters remained unattended for some time and that is the reasons that the appeals could not filed within the stipulated

period of limitation. The reasons as are assigned appear to be just. Having regard to the fact that when the Special Land Acquisition Officer has awarded the compenation @ Rs.275/- per Are, the Reference Court has enhanced it to Rs.2,437/- per Are, an opportunity needs to be given to the acquiring bodoy to prosecute its appeals on merits. Hence, the following order, -

ORDER

i. The applications for condonation of delay are allowed and disposed of.

ii. Appeals be registered in accordance with law. After registration of the appeals, issue notice in stay applications, returnable within eight weeks. Execution of the awards impugned in the present appeals shall stand stayed subject to deposit of the entire amount under each of the said Awards along with the interest accrued thereon within eight weeks from the date of this order

(P.R. BORA)
JUDGE

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