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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 10650 OF 2016
IN
FIRST APPEAL STAMP NO.18508 OF 2016

The Executive Engineer, Vishnupuri Project & Others APPLICANTS

VERSUS

Shankarrao Mashnaji Yerewad and Others

RESPONDENTS

.....

Mrs. Ranjana Reddy, Advocate for the applicants

Mr. S. V. Kurundkar, Advocate for respondents - claimants

.....

WITH
CIVIL APPLICATION NO. 10654 OF 2016
IN
FIRST APPEAL STAMP NO.18514 OF 2016

The Executive Engineer, Vishnupuri Project & Others APPLICANTS

VERSUS

Yousuf Ab. Khadar and Others

RESPONDENTS

.....

Mrs. Ranjana Reddy, Advocate for the applicants

Mr. S. V. Kurundkar, Advocate for respondents - claimants

.....

WITH
CIVIL APPLICATION NO. 11135 OF 2016
IN
FIRST APPEAL STAMP NO.17847 OF 2016

The Executive Engineer, Vishnupuri Project & Others APPLICANTS

VERSUS

Rajaram Sambhaji Patil and Others

RESPONDENTS

.....
Mr. B. R. Surwase, Advocate for the applicants
Mr. S. V. Kurundkar, Advocate for respondents - claimants
.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 16th MARCH, 2018

ORDER :

1. Learned advocates for the applicants submit that appeals could not be preferred within time on account of various reasons, particularly that there had been lot of deliberations which had taken place as to whether to challenge the award on merits or on the part of interest would be required to be challenged. In the circumstances, the matter had been moved from one table to the other and from one authority to other and as such, delay has been caused.

2. Learned advocate for the respondents although purports to resist veracity of the claims underlying the applications, yet has not questioned on any material ground. He, however, leaves for the court to decide.

3. Having regard to the circumstances referred to which are not challenged seriously by the claimants, it would be expedient to allow the applications. As such, particularly, keeping in mind challenge is restricted only in respect of interest with reference

to section 34 of the Land Acquisition Act, the applications are granted. Delay is condoned. Appeals to proceed with accordingly.

[SUNIL P. DESHMUKH, J.]

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