

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

CIVIL APPLICATION NO.11808 OF 2017
IN FIRST APPEAL STAMP NO. 21257 OF 2017

The Executive Engineer Through Applicant
Rohan Daulatrao Desai Asstt Engineer
Minor irrigation Z. P. Osmanabad

VERSUS

Bharat Tatyaba Jadhav and others Respondents

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Mr. M.B. Sandanshiv, Advocate h/f Mr. S.N. Rodge, Advocate for applicant.
Mr. R. V. Naiknavare, Advocate for respondent No. 1.
Mr. S. N. Kendre, AGP for respondents No. 2 and 3.

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**CORAM : SUNIL. P. DESHMUKH &
K. K. SONAWANE, JJ.**

DATED : 22nd OCTOBER, 2018.

ORDER :-

1. Heard learned counsel for parties.
2. For the reasons contained in the application as well as having regard to the decision of Supreme Court in the cases of *Collector, Land Acquisition, Anantnag and another Versus Mst. Katiji and others* reported in *AIR 1987 Supreme Court 1353*, *Esha Bhattacharya Vs. Managing Committee of Raghunathpur Nafar Academy and others* reported in *(2013) 12 Supreme Court Cases 649* and decision of learned Single Judge [Coram: K. K. Sonawane, J.] in *the G.M.I.D.C. Ltd. Aurangabad through the Executive Director Versus Babasaheb Bhachand Kothule and another (Civil Application No. 12741 of 2016 and connected matters)*, which is often referred to, the delay is condoned.
3. Civil application is disposed of accordingly.

(K. K. SONAWANE, J.)

(SUNIL P. DESHMUKH, J.)