

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

960 CIVIL APPLICATION NO.4465/2018 IN FAST/2406/2018
WITH CA/4467/2018 IN FAST/2406/2018 WITH CA/13635/2018
IN FAST/2406/2018

THE G.I.D.C. THROUGH ITS EXECUTIVE ENGINEER AND
ORS.VERSUS
RAJENDRA BABA SHERKAR

...

Advocate for Applicant : Mr. AM Gaikwad
Mr. SB Narwade, AGP for Respondent State
Mr. Naiknavare Ramesh V., Adv. For Respondent.

CORAM : P.R. BORA, J.

DATED : 2nd November, 2018.

PER COURT:-

1. Heard. Delay of 630 days has occurred in filing the appeal by the acquiring body. The reason as stated in the application is for making procedural compliance the delay has occasioned.

2. The learned counsel for respondent has opposed for condoning the delay stating that the reasons are insufficient to condone huge delay of 630 days. However, for the reasons stated in the application, which according to are just and sufficient, the delay is condoned. The CA for condonation of delay is disposed of.

3. Appeal be registered in accordance with law. On registration of appeal, issue notice to respondent. Shri Naiknaware, learned counsel

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waives service for sole respondent. Service complete.

4. Learned counsel Shri Naiknaware, seeks leave to withdraw CA No. 13635/2018. Leave granted. The Civil Application stands rejected since withdrawn.

5. Heard on CA for stay. Though it has been contended by learned counsel for respondent that the amount has not been deposited as per the Award, the objection raised by the learned counsel can be considered at the time of final hearing of the appeal.

6. In view of the fact that the acquiring body has deposited the amount of compensation as was directed, the interim stay granted earlier is made absolute. CA for stay stands disposed of.

7. List the appeal for admission after six weeks. Call R and P., if not already called.

(P.R. BORA)
JUDGE

bdv