

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14357 OF 2017 IN
FIRST APPEAL ST. NO. 37639 OF 2017

Marathwada Krishi Vidyapeeth
Parbhani

Applicant

Versus

Kachru Trimbak Shinde
& others

Respondents

Mr. M.N. Navandar, advocate for applicant.
Mr. A.D. Soman, advocate holding for Mr. D.V. Soman, advocate for
respondents.

WITH
CIVIL APPLICATION NO. 14380 OF 2017 IN
FIRST APPEAL ST. NO. 36819 OF 2017

Vasantrao Naik Marathwada Krishi Vidyapeeth
Parbhani

Applicant

Versus

Vishwnath Parasram Kokne
deceased through LRs & others

Respondents

Mr. V.D. Patnoorkar, advocate for applicant.
Mr. A.D. Soman, advocate holding for Mr. D.V. Soman, advocate for
respondents.

WITH
CIVIL APPLICATION NO. 14382 OF 2017 IN
FIRST APPEAL ST. NO. 36814 OF 2017

Vasantrao Naik Marathwada Krishi Vidyapeeth
Parbhani

Applicant

Versus

Rukhaminibai | Gopalrao Thatte

deceased through LRs & others

Respondents

Mr. V.D. Patnoorkar, advocate for applicant.

Mr. A.D. Soman, advocate holding for Mr. D.V. Soman, advocate for respondents.

WITH
CIVIL APPLICATION NO. 14392 OF 2017 IN
FIRST APPEAL ST. NO. 38036 OF 2017

Vasantrao Naik Marathwada Krishi Vidyapeeth
Parbhani

Applicant

Versus

Shrikishan Mhatarji More
deceased through LRs & others

Respondents

Mr. G.G. Kadam, advocate for applicant.

Mr. A.D. Soman, advocate holding for Mr. D.V. Soman, advocate for respondent 4(ii).

WITH
CIVIL APPLICATION NO. 14394 OF 2017 IN
FIRST APPEAL ST. NO. 38032 OF 2017

Vasantrao Naik Marathwada Krishi Vidyapeeth
Parbhani

Applicant

Versus

Khandu Saluba shinde
deceased through LRs & others

Respondents

Mr. G.G. Kadam, advocate for applicant.

Mr. A.D. Soman, advocate holding for Mr. D.V. Soman, advocate for respondent 1(i).

CORAM : M.S. SONAK, J.
DATE : 1st FEBRUARY, 2018

PER COURT:

1. Heard learned counsel for the parties.
2. In all these civil applications, condonation of delay ranging between 325 to 502 days is applied for. The reason set out in the civil applications is that the advocate before the reference court failed to intimate making of the impugned award to the appellants and the appellants gained knowledge only when execution proceedings were taken up. Thereafter, it is stated that some time was spent to prepare the appeal, make arrangement for court fees, stamp duty etc.
3. Taking into consideration the magnitude of delay and the explanation, sufficient cause is shown to condone the same, though, subject to payment of cost in favour of respondents-claimants. In such matters, the plight of respondents-claimants cannot be forgotten because they have lost their lands and now, compensation which has been enhanced in their favour is being questioned after some delay.
4. Accordingly, all these civil applications are allowed. Delay in instituting appeals is condoned subject to applicants paying respondents-claimants cost of Rs. 5,000/- in each of the appeals. The amount of cost to be deposited in this court within a period of four weeks from today.
5. If the amount of cost is deposited, the Registry to register the appeals and place them for admission. If the amount of cost is not deposited, then, these civil applications shall be deemed to have

been dismissed and consequently, appeals also shall stand dismissed. If the amount of cost is deposited, respondents-claimants are granted leave to unconditionally withdraw the same.

6. Civil applications stand disposed of in aforesaid terms.

(M.S. SONAK, J.)

dyb