

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

**CIVIL APPLICATION NO.5542 OF 2014
IN
FIRST APPEAL (ST) NO.5056 OF 2014
WITH
CIVIL APPLICATION NO.5544 OF 2014
IN
FIRST APPEAL (ST) NO.5086 OF 2014**

**THE EXECUTIVE ENGINEER MEDIUM PROJECT DIVISION
OSMANABAD**

VERSUS

THE STATE OF MAHARASHTRA AND ORS.

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Mr. J.R. Patil h/f G.B. Rajale, Advocate for applicant.

Mr. S.P. Deshmukh, AGP for respondents-State.

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 2nd AUGUST, 2019.

ORDER :

. Present applications have been filed for getting the delay of 526 days condoned in filing first appeals. The acquiring body intends to challenge the judgment and award passed by the reference Court.

02. Respondent No.2-original claimant though served, none appeared. However, he has filed written say which was sent through post. He has objection for deciding the first appeals as he wants to rely on the decision by this Court in First Appeal

No.25721 of 2013 dated 19.12.2013 and therefore, according to him the First Appeals should be disposed of.

03. However, it is to be noted that unless the delay is condoned, we cannot touch the first appeals. Under such circumstance, delay stands condoned. Civil Applications stand disposed of accordingly.

(Smt. Vibha Kankanwadi, J.)

Shubham/