

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

CIVIL APPLICATION NO. 8609 OF 2017
IN
FIRST APPEAL (STAMP) NO. 9706 OF 2017

The Regional Officer
Maharashtra Industrial Development
Corporation MIDC, at Latur and others .. Applicants

versus

Maruti Vayjinazth Birajdar .. Respondent

Mr Shrirang S. Dande, Advocate for applicants
Mr S. N. Patne, Advocate for respondent

CORAM : SUNIL P. DESHMUKH AND
S. M. GAVHANE, JJ.

DATE : 21st June, 2019

ORDER :

1. This is an application for condonation of delay of 662 days in filing appeal by acquiring body and State.
2. Learned counsel for acquiring body and learned assistant government pleader refer to reasons given in the application and contend that in view of the same, application be allowed.
3. Mr S. N. Patne, learned advocate appearing on behalf of respondent – claimants submits that the reasons given in the applicant cannot be said to be proper.

4. However, having regard to that there is no contrary material placed on record resisting the reasons, we deem it appropriate to grant the application having regard to decisions of the supreme court in the cases of *Collector, Land Acquisition, Anantnag vs. Mst. Katiji*, reported in *AIR 1987 SC 1353* and *Esha Bhattacharjee vs. Managing Committee of Raghunathpur Nafar Academy*, reported in *(2013) 12 SCC 649*.

5. Civil application is, therefore, allowed and is disposed of. First appeal to proceed.

S. M. GAVHANE,
JUDGE

SUNIL P. DESHMUKH
JUDGE

pnd/-