

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

72 CIVIL APPLICATION NO.6390 OF 2018
IN FAST/9585/2018
WITH CA/6392/2018 IN FAST/9908/2018
WITH CA/6394/2018 IN FAST/9896/2018
WITH CA/6396/2018 IN FAST/9911/2018
WITH CA/6398/2018 IN FAST/9902/2018

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT MAJBUTIKARAN
DIVISION, OMERGA AND ORS
VERSUS
KHANDU UMRAO LAMJANE

...
Advocate for Applicants : Mr. Bhosale Sanjaykumar B.

...

CORAM : MANGESH S. PATIL, J.
DATE : 15.11.2019

PC. :-

Heard the learned advocate for the acquiring body. The respondents who are the original claimants have been duly served but have not appeared.

2. By way of these applications the acquiring body and the State are seeking condonation of delay of 1441 days in filing Appeals against the orders passed by the Reference Court.

3. Obviously, the amount of compensation is inclusive of the burden of interest @ 9% and 15%. Obviously, when the acquiring body is carrying such a burden, it would not have allowed the Appeals to be barred without there being just and sufficient reason. At least it cannot be said that there are certain *mala fides* or any ulterior motive.

4. Considering the grounds mentioned in the applications the delay is condoned subject to the acquiring body depositing an amount of Rs.5,000/- by way of costs. Civil Applications are disposed of.

[MANGESH S. PATIL, J.]