

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

**1016 CIVIL APPLICATION NO.9068 OF 2018
IN FAST/13733/2018**

EX. ENGINEER, STRENGTHENING DIV. OMERGA THR EX. ENGINEER,
O.M.P.D. (NOW UNDER THE
VERSUS
BISMILLABI YAKUBSAB KURESHI (DEAD) THR LRS SAMIULLA AND ORS

...
Advocate for Applicant : Mr. Sangle Shirish G.
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for respondent Nos. 1 and 2 : Mrs. L.R. Thakur h/f Mr. L.C. Patil
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Present application has been filed by the acquiring body for getting the delay of 1009 days condoned in filing first appeal.

2. Learned Advocate appearing for respondent Nos.1 and 2 raises strong objection on the ground that the delay is huge and inordinate and it has not been properly explained.

3. It appears that the present applicant -Maharashtra Krishna Valley Development Corporation Ltd., Pune, who was the acquiring body, was not made a party to the reference and therefore it is tried to be

explained that after getting the knowledge of the award, further administrative steps have been taken which were necessary for filing the appeal. Under such circumstance, that can be taken as good ground to condone the delay, therefore, delay is hereby condoned.

4. Civil Application stands allowed and disposed of accordingly.
5. Registry to verify and register the first appeal and place it for further consideration on 20.01.2020.

(SMT. VIBHA KANKANWADI, J.)

SCM