

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

922 CIVIL APPLICATION NO.8058 OF 2019 IN FAST
NO.19506/2019 WITH CA/8060/2019 IN FAST NO.19560/2019
WITH CA/8062/2019 IN FAST NO.19565/2019 WITH
CA/8064/2019 IN FAST NO.19572/2019 WITH CA/8066/2019
IN FAST NO.19578/2019 WITH CA/8068/2019 IN FAST
NO.19581/2019 WITH CA/8070/2019 IN FAST NO.19584/2019
WITH CA/8072/2019 IN FAST NO.19587/2019 WITH
CA/8074/2019 IN FAST NO.19590/2019 WITH CA/8076/2019
IN FAST NO.19593/2019 WITH CA/8078/2019 IN FAST
NO.19575/2019

THE EX. ENGINEER, MINOR IRRIGATION DIVISION (M.I.W)
JALGAON
VERSUS

KISHOR HIRAMAN PATIL AND ORS

Mr.Subhash S. Chillarge, Advocate for the applicant
Mr.G.O.Wattamwar, AGP for the respondent/State
Mr.V.B.Patil, Advocate for respondent/ claimants

**CORAM : S.P. DESHMUKH &
S.M. GAVHANE, JJ.**

DATE : 12.07.2019

P.C. :-

. Issue notice to the respondents, returnable within four weeks. Mr.V.B.Patil, learned counsel waives service of notice for respondent/claimants. Learned AGP waives service of notice for respondent/State.

2. The application is heard with the consent of the parties. There is delay of 123 days in filing the first appeal. Applicant refers to contents of application in Paragraphs No. 4 and 5 and states that in these circumstances delay has been explained satisfactorily.

3. Though learned counsel for the respondent/claimants purports to resist veracity of the contents of the application is not over come by production of any credible material. In the circumstances, having regard to the decisions in the case of *Collector, Land Acquisition, Anantnag Vs Ms. Katiji and others* reported in *AIR 1987 SC 1353* and in the case of *Esha Bhattacharjee Vs Managing Committee of Raghunathpur Nafar Academy and others* reported in *(2013) 12 Supreme Court Cases 649*, we deem it expedient to condone the delay. Civil applications accordingly are allowed in terms of prayer clause-B and are disposed of.

[S.M.GAVHANE, J.]

[SUNIL P. DESHMUKH, J.]