

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

**21 CIVIL APPLICATION NO.11840 OF 2015
IN FAST/21825/2015**

**EXECUTIVE ENGINEER, UPPER PRAVARA DAM DIVISION SANGAMNER
UNDER GMIDC AURANGABAD A
VERSUS
RAMA TUKARAM MUNDE**

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Advocate for Applicant : Mr. Surwase B.R.

Advocate for Respondents No. R/1a To 1c & 1d-2 : Mr. D A Bide.

CORAM : MANGESH S. PATIL, J.

DATE : 18/12/2019

PER COURT :

Heard both the sides.

2. This is an application by the Acquiring Body for seeking condonation of delay of 263 days in preferring the appeal.

3. The learned advocate for the Acquiring Body submits that it is a State machinery which has to function through its officers. Besides, it has to undergo set procedure before preferring the appeals. The time was spent in completing all these formalities. There was no ill-intention. Its right to prefer appeal cannot be deprived for the technical reasons.

4. The learned advocate for the claimants opposes the application.

5. For the reasons mentioned in the application, the delay is condoned.

6. The Civil Application is disposed of.

7. Register the First Appeal. Issue notice after registration of the First Appeal. The learned advocate Mr. Bhide waives service.
8. The First Appeal shall stand **admitted**.
9. Call record and proceeding.

(MANGESH S. PATIL, J.)

mkd