

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.11356 OF 2018
IN FAST NO.22425/2018

OSMANABAD IRRIGATION DIVISION, G.M.I.D.C THR EX. ENGINEER, M.I.W.
MINOR IRRIGATION

VERSUS

RAMA KRISHNA NANDE [DIED]
THR.L.RS. ANANT RAMBHAU NANDE

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Advocate for Applicants : S.S.Tope
Adv. Kale Ajeet B. for R.1.

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WITH

CIVIL APPLICATION NO.11358 OF 2018
IN FAST NO.22487/2018

WITH

CIVIL APPLICATION NO.11361 OF 2018
IN FAST NO.22478/2018

WITH

CIVIL APPLICATION NO.11363 OF 2018
IN FAST NO.22491/2018

WITH

CIVIL APPLICATION NO.11366 OF 2018
IN FAST NO.22496/2018

WITH

CIVIL APPLICATION NO.11368 OF 2018
IN FAST NO.22507/2018

WITH

CIVIL APPLICATION NO.11370 OF 2018
IN FAST NO.22500/2018
WITH

CIVIL APPLICATION NO.11372 OF 2018
IN FAST NO.22503/2018
WITH

CIVIL APPLICATION NO.11374 OF 2018
IN FAST NO.22513/2018
WITH

CIVIL APPLICATION NO.11376 OF 2018
IN FAST NO.22524/2018
WITH

CIVIL APPLICATION NO.11378 OF 2018
IN FAST NO.22483/2018
WITH

CIVIL APPLICATION NO.11380 OF 2018
IN FAST NO.22519/2018

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Advocate for Applicants : S.S.Tope
Adv. Kale Ajeet B. for R.1.

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CORAM : MANGESH S. PATIL, J.
DATE : 10.12.2019

PC. :-

Heard both the sides.

2] These are applications under Section 5 of the Limitation Act seeking condonation of delay in filing appeals by the acquiring body. The delays are of 1678 days.

3] The learned advocate Mr.Tope for the acquiring body submits that apart from the fact that the Reference Court had awarded exorbitant compensation which has an implication of causing burden on the public exchequer, the delays have been explained in the applications. In order to follow the protocol, for making proposal, in getting an approval and filing appeals after making necessary arrangement, the delays have been caused. There was no oblique motive and the delays may be condoned.

4] The learned advocate Mr.Kale for the original claimants strongly opposes the applications. He submits that the acquiring body has intentionally avoided to file appeals and has also avoided to deposit money.

5] For the reasons mentioned in the Applications and the rival submissions, the delays have been explained with sufficient grounds and are condoned. The Applications are disposed of.

[MANGESH S. PATIL, J.]