

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

31 CIVIL APPLICATION NO.WITH CA/12263/2016 IN
FAST/24551/2016
WITH
CA/12264/2016 IN FAST/24551/2016 WITH CA 333 OF 2019
IN FAST/24551/2016
WITH
CA/12261/2016 IN FAST/24444/2016 WITH CA/12262/2016 IN
FAST/24444/2016
WITH CA/295/2019 IN FAST/24444/2016

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT CORPORATION
LTD. THROUGH EXE ENGINEER MIW AND ANR
VERSUS
SHIVAJI PANDURANG JADHAV

...

Advocate for Applicants : Mr. AM Phule, AGP ;
Mr. Gundre Suraj V; Adv. For sole respondent
Mr. S. S. Tope For R/2.

CORAM : P.R. BORA, J.
DATED : 28th January, 2019.

PER COURT:-

1. Delay of 1462 days has occurred in filing the present appeals by the acquiring body. It is the contention in the applications that in making the procedural compliances, the time was consumed and that is the main reason that the appeals could not be filed within stipulated period of limitation.
2. Learned counsel for the applicant submitted that the delay is unintentional and for bonafide reasons. In the circumstances, the learned counsel prayed for condoning the delay.
3. Shri Gundre, learned counsel appearing for the respondents i.e. original claimants, has opposed for condoning the delay. The learned

(2)

counsel submitted that inordinate delay of 1462 days has not been properly explained. He, therefore, prayed for rejecting the applications.

4. After having perused the applications and the reasons, as are assigned in the applications, I am convinced that the reasons as are assigned cannot be outrightly rejected. I am, therefore, inclined to allow the applications. Hence, the following order, -

ORDER

i. The civil applications for condonation of delay are allowed and disposed of.

ii. Appeals be registered in accordance with law. On registration of the appeals, issue notices to the respondents. Learned AGP and learned counsel waive service for respective respondents. Service complete.

iii. List the appeals with the applications for withdrawal of the amount for final disposal at admissions stage on 30th January, 20198.

iv. First on Board.

(P.R. BORA)
JUDGE

bdv