

(1)

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

**928 CIVIL APPLICATION NO.1609 OF 2018
 IN FAST/26291/2017 WITH CA/13287/2017 IN
 FAST/14289/2017 WITH CA/13288/2017 IN
 FAST/14289/2017 WITH CA/13290/2017 IN
 FAST/14289/2017 WITH CA/13291/2017 IN
 FAST/14823/2017 WITH CA/13292/2017 IN
 FAST/14823/2017 WITH CA/13293/2017 IN
 FAST/14823/2017 WITH CA/13294/2017 IN
 FAST/14834/2017 WITH CA/13295/2017 IN
 FAST/14834/2017 WITH CA/13296/2017 IN
 FAST/14834/2017 WITH CA/13297/2017 IN
 FAST/14812/2017 WITH CA/13298/2017 IN
 FAST/14812/2017 WITH CA/13299/2017 IN
 FAST/14812/2017 WITH CA/1598/2018 IN
 FAST/25976/2017 WITH CA/1599/2018 IN
 FAST/25976/2017 WITH CA/1600/2018 IN
 FAST/26283/2017 WITH CA/1601/2018 IN
 FAST/26283/2017 WITH CA/1602/2018 IN
 FAST/26283/2017 WITH CA/1603/2018 IN
 FAST/25976/2017 WITH CA/1604/2018 IN
 FAST/26299/2017 WITH CA/1605/2018 IN
 FAST/26299/2017 WITH CA/1606/2018 IN
 FAST/26299/2017 WITH CA/1607/2018 IN
 FAST/26291/2017 WITH CA/1608/2018 IN
 FAST/26291/2017 WITH CA/1610/2018 IN
 FAST/26295/2017 WITH CA/1611/2018 IN
 FAST/26295/2017 WITH CA/1612/2018 IN
 FAST/26295/2017 WITH CA/1614/2018 IN
 FAST/26287/2017 WITH CA/1615/2018 IN
 FAST/26287/2017 WITH CA/1617/2018 IN
 FAST/26287/2017**

**THE G.M.I.D.C. THR THE EX. ENGINEER, MINOR
 IRRIGATIONDIVISION, OSMANABAD AND ORS
 VERSUS
 KASHIRAYA RUDRAPPA NAVTAKE (DEAD) THR LRS SUBHASH
 KASHIRAYA NAVTAKE**

...

Advocate for Applicants : Mr. Gaikwad Anil M.

Advocate for Respondent : Mr. A.B. Kale

...

CORAM : P.R. BORA, J.

DATED : 25th FEBRUARY, 2019.

PER COURT:-

. The acquiring body has preferred the present appeals. It is the contention that the acquiring body was not made party before the reference Court. The acquiring body has therefore sought leave to appeal against the judgment and award passed by the reference Court. Since some delay has occasioned in preferring the appeals, separate applications are filed seeking condonation of delay. The delay is in the period ranging between 500 to 608 days has occurred in filing these appeals by the acquiring body. The acquiring body has also sought stay to the execution of the awards impugned in the present appeals.

2. Shri Kale, the learned counsel appearing for the respondent i.e original claimant in all these matters has submitted for passing appropriate orders. After having gone through the contents of the applications, I deem it appropriate to allow all these applications. Hence, the following order:

ORDER

- i) Leave to file appeal is granted.
- ii) The delay caused in filing the appeals is

condoned. The appeals be registered in accordance with law.

iii) All civil applications stand allowed.

iv) The execution of the awards impugned in the present appeals shall stand stayed subject to deposit of the entire amount under each of the said awards with interest thereon by the acquiring body in this Court within the period of eight weeks.

v) After registration of the appeals, issue notice to the respondents. Advocate Shri A.B. Kale waives notice for respondent i.e. original claimant in all these matters. Service complete.

vi) All civil applications stand disposed of.

vii) List all these appeals for further consideration after eight weeks. Call record and proceedings.

(P.R. BORA, J.)

Mujaheed//