

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

907 CIVIL APPLICATION NO.17330 OF 2010
IN FAST/31508/2010

GODAVARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION
VERSUS
SANJAY VAIJNAHT BAWAGE AND ANR.

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Advocate for Applicant : Mr.S.G.Sangle
AGP for Respondent-State : Mr.S.N.Morampalle
Advocate for Respondent nos.1/1 to 1/4 :
Mr.G.K.Sontakke

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CORAM : V.L.ACHLIYA, J.
DATE : 17.10.2019

PER COURT:

1] Leave granted to amend the Application and to mention the exact delay in filing Appeal.

2] Amendment be carried out forthwith.

3] The present Application is filed seeking condonation of 891 days' delay in filing appeal for the reasons set out in detail in the application.

4] In brief, it is the contention of the learned counsel for the applicant that

the applicant is acquiring body and affected by the decision of the award passed by the Reference Court, the applicants were not made party before the Reference Court though they are proper and necessary party. The applicant is separately applied for grant of leave to file appeal. Leave has been granted. It is submitted that arising out of the award passed by the Reference Court, 21 Appeals were preferred before this Court. Except the present Appeal, in all other 21 Appeals filed along with application seeking condonation of delay. This Court has condoned the delay. Copy of the order tendered taken on record.

5] Learned counsel for the respondents have no objection to condone the delay.

6] Considering cause assigned in the light of the un-challenge pleadings made in the application and the orders passed in the connected Appeals, I am of the view that, I am inclined to allow the Application. Accordingly, the application is allowed in terms of prayer clause 'B'.

7] Application be marked as disposed of.

8] List the First Appeal Stamp No.31508
of 2010 for admission on 4th December, 2019.

[V.L.ACHLIYA]
JUDGE

DDC