

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

918 CIVIL APPLICATION NO.15551 OF 2016
IN FAST/32302/2016 WITH CA/15552/2016 IN
FAST/32302/2016

THE EXECUTIVE ENGINEER, MINOR IRRIGATION STRENGTHENING
DIVISION, OMERGA AND ORS
VERSUS
RAJENDRA NAGENDRA BHANDARI

...

Advocate for Applicants : Mr. Bhosale Sanjaykumar B.
Mr. Patil Laxmikant C. Adv For R/1

CORAM : P.R. BORA, J.
DATED : 8th January, 2019.

PER COURT:-

1. Heard learned counsel for the acquiring body and learned counsel for the respondents, i.e. original claimants.

2. Though learned counsel for the original claimants has opposed for condoning the delay, stating that huge delay of 900 days has not been appropriately explained, after having gone through the contents of the application, I am satisfied that the delay has been sufficiently explained by the acquiring body. I am, therefore, inclined to allow the present application. Hence, the following order, -

ORDER

i. The delay caused in filing the appeal

(2)

is condoned.

ii. The CA for condonation of delay is disposed of.

3. The appeal be registered in accordance with law. On registration of the appeal, issue notice to the respondents. Learned Counsel Shri LC Patil waives service for sole respondent. Service complete.

4. List the appeal for further consideration on 15th February, 2019

5. Heard on CA for stay. Execution of the Award impugned in the present appeal shall stand stayed till disposal of the appeal subject to deposit of the entire amount under the said Award together with the interest accrued thereon by the acquiring body within a period of ten weeks. CA for stay stands disposed of.

(P.R. BORA)
JUDGE

bdv