

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**14 – CIVIL APPLICATION NO. 10249 OF 2019
IN FAST/20721/2019**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
SAMBHAJI PANDHARINATH KOLPUSE

**CIVIL APPLICATION NO. 10255 OF 2019
IN FAST/20827/2019**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
BASHIR PASHASAB SHEKH

**CIVIL APPLICATION NO. 10247 OF 2019
IN FAST/20809/2019**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
RAMAKANT SHRIRANG SARAF

**WITH
CIVIL APPLICATION NO. 10251 OF 2019
IN FAST/20815/2019**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
AFSAR BAPUSAB SHEKH

**WITH
CIVIL APPLICATION NO. 10261 OF 2019
IN FAST/20818/2019**

vre/-

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
AFJAL FAJUSAB SAYYAD

WITH
CIVIL APPLICATION NO. 10257 OF 2019
IN FAST/20821/2019

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
GANI MOLLA SAYAD

WITH
CIVIL APPLICATION NO. 10259 OF 2019
IN FAST/20824/2019

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
RAMAKANT SHRIRANG SARAF

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Mr. S. M. Ganachari, Advocate for Applicant No.1.
Mr. P. M. Kulkarni, AGP for Applicant nos. 2 and 3.
Mrs. P. G. Sontakke, Advocate for the Respondent.

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15 – CIVIL APPLICATION NO. 10271 OF 2019
IN FAST/20617/2019

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
VISHWANATH MADHAVRAO BHOSALE

WITH
CIVIL APPLICATION NO. 10265 OF 2019
IN FAST/20760/2019

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
SHRIRAM NIVRATI BHOSLE

WITH
CIVIL APPLICATION NO. 10269 OF 2019
IN FAST/20756/2019

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION,
LATUR AND OTHERS
VERSUS
VENKAT MADHAVRAO BHOSLE

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Mr. S. M. Ganachari, Advocate for Applicant No.1.
Mr. A. V. Deshmukh, AGP for Applicant nos. 2 and 3.
Mrs. P. G. Sontakke, Advocate for the Respondent.

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CORAM : V. K. JADHAV, J.
DATED : 23TH OCTOBER, 2020

PER COURT :-

1. I have heard learned counsel for the applicant-acquiring body. Learned counsel submits that owing to the administrative formalities, such as legal advice, approval etc., delay has been caused in preferring appeals. Learned counsel submits that the delay is not intentional and the acquiring body was prevented by sufficient cause from preferring appeals within limitation.

vre/-

2. Learned counsel appearing for the respondents/original claimants has strongly resisted the applications.

3. It appears that though there is delay of 604 and 603 days respectively, in filing the first appeals arising out of the judgment and award passed by the reference court, however, the delay is not intentional one and the applicant-acquiring body, after obtaining legal advice and completion of the administrative formalities, preferred the appeals. It further appears that the respondents/original claimants have also not seriously resisted the applications by filing reply. Considering the entire aspect of the case, I am inclined to condone the delay. Hence, all the civil applications are hereby allowed in terms of prayer clause "B".

(V. K. JADHAV, J.)

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