

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**23 CIVIL APPLICATION NO.1488 OF 2021
IN FAST/2134/2021**

TAPI IRRIGATION DEVELOPMENT CORPORATION, JALGAON
THR THE EX. ENGINEER, M.I.W. DIV. JALGAON
VERSUS
KASHINATH LAXMAN PATIL (DIED) THR LRS VIMALBAI AND ORS

...
Advocate for Applicant : Mr. S. R. Patil (v.p. Filed)
AGP for Respondents No.3 and 4-State : Mr. S. S. Dande
Advocate for Respondents No.1.i to iii, 2 : Mr. Vijay Patil.
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CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 21-06-2021

PER COURT :

1. Present application has been filed for getting the delay of 179 days condoned in filing first appeal.
2. Heard learned Advocate Mr. S. R. Patil for applicant, learned Advocate Mr. Vijay Patil for respondent No.1, and learned AGP for respondents No.3 and 4-State.
3. Learned Advocate for respondent No.1.i to iii, 2 Mr. Vijay Patil has strong objection to allow the application. He submits that no proper reason much less sufficient has been shown for condoning the delay. He also submits that day to day account of the delay has not

been given.

4. Though it appears that day to day account of the delay has not been properly given and the application is loosely drafted, the Acquiring Body should not suffer due to the act of the Advocate. There appears to be some grounds on which the first appeal is rested. Definitely it will have to be considered that some time would have been consumed for getting sanctions from various departments and, therefore, taking liberal approach and taking into consideration the duration of the delay, the application stands allowed, delay stands condoned. In view of above, application for delay condonation stands disposed of accordingly.

5. Registry to verify and register the first appeal.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.