

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

**909 CIVIL APPLICATION NO.4430 OF 2021
IN FAST/5924/2021 WITH CA/4458/2021 IN FAST/5890/2021 WITH
CA/4443/2021 IN FAST/6036/2021 WITH CA/4445/2021 IN
FAST/5877/2021 WITH CA/4452/2021 IN FAST/5895/2021 WITH
CA/4456/2021 IN FAST/5836/2021 WITH CA/4432/2021 IN
FAST/5842/2021 WITH CA/4449/2021 IN FAST/5819/2021 WITH
CA/4447/2021 IN FAST/5825/2021 WITH CA/4454/2021 IN
FAST/5856/2021 WITH CA/4439/2021 IN FAST/5904/2021 WITH
CA/4460/2021 IN FAST/5831/2021 WITH CA/4437/2021 IN
FAST/5849/2021 WITH CA/4441/2021 IN FAST/5917/2021 WITH
CA/4434/2021 IN FAST/5884/2021**

THE TAPI IRRI. DEVELOP. OFFICER, THR THE EX. ENGINEER, M.I.W.
JALGAON AND ANR
VERSUS
SUMAN DHANAJI ZALTE

...
Advocate for Applicants : Mr. R.A. Tambe
AGP for State : Mr. S.R. Yadav
Advocate for Respondent : Mr. A.B. Kale
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 28th JULY, 2021

PER COURT:-

1. All these applications have been filed by the acquiring body praying for condonation of delay caused in filing the first appeals for challenging the impugned awards.
2. The learned advocate for the respondent-original claimant opposes the applications.
3. We find that the delay caused in filing the appeals is neither deliberate nor inordinate. So also, keeping in view the law laid down by the Hon'ble Apex Court in the matter of ***Collector, Land Acquisition Anantnag and Another Vs. MST Katiji, (1987) 2 SCC 107*** and ***Esha***

Bhattacharjee Vs. Managing Committee of Raghunathpur Nafar Academy and Others, (2013) 12 SCC 649, the doors of the Court would be closed for the acquiring body if the delay is not condoned.

4. In view of the above, these applications are allowed. The delay caused in filing the first appeals is condoned. The first appeals shall be registered.

(S.G. MEHARE. J)

(RAVINDRA V. GHUGE, J)