

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 3361 OF 2021 IN FAST/6994/2021

THE EX. ENGINEER, MEDIUM PROJECT LATUR AND OTHERS
VERSUS
KONDIBA RAGHUNATH KOMPLE

WITH
CIVIL APPLICATION NO. 3359 OF 2021 IN FAST/6899/2021
WITH
CIVIL APPLICATION NO. 3363 OF 2021 IN FAST/6982/2021
WITH
CIVIL APPLICATION NO. 3365 OF 2021 IN FAST/6989/2021

...
Advocate for Applicants : Mr. Kshirsagar Hemraj P.
AGP for State : Mr. R.B. Bagul
Advocate for Respondents : Mr. V.G. Kodale
...

CORAM : ANIL S. KILOR, J.
DATE : 01-04-2021

ORDER :

1. These are Applications for condonation of delay. The applicant – Acquiring Body has filed present Applications on the ground that due to procedural aspects which needs to be followed in such matters, the delay has been caused. The delay is of 1991 days.
2. Looking at the number of days of delay, there is no doubt that the delay is inordinate and not reasonable.

3. On the other hand, learned counsel for the claimants opposes the Applications in view of the fact that the delay is inordinate.

4. After going through the contents of the Applications, though some reasons are offered for condonation of delay, yet, the fact remains that the inordinate delay is there and it also appears that diligently steps were not taken by the concerned Officer in the matter and, therefore, the delay is caused.

5. In view of the Judgment passed by the Hon'ble Supreme Court of India in the case of *The State of Madhya Pradesh V. Bherula*¹, I am of the opinion that in this matters, while allowing the Applications for condonation of delay and condoning the delay, costs of Rs.10,000/- should be imposed in each matter which shall be recovered from the Officer who is responsible for the delay.

6. Accordingly, the Applications are allowed. Delay of 1991 days in each Application is condoned subject to the deposit of costs of Rs.10,000/- (Rs. Ten Thousand) in each of the Applications with the High Court Legal Services Sub-Committee at Aurangabad.

7. Civil Applications are disposed of.

[ANIL S. KILOR]
JUDGE

1 (2020) 10 SCC 654