

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

CIVIL APPLICATION NO. 2656 OF 2017
IN
FIRST APPEAL ST.NO.8416 OF 2014

Executive Engineer,
Irrigation Project Strengthening
Division, Omerga,
District Osmanabad now under
Maharashtra Krishna Valley
Development Corporation Ltd.,Pune

.. Applicants

Versus

Sharanappa Bhimanna Pujari and ors.

.. Respondents

Mr S.G. Sangle, Advocate for applicant - absent

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 22nd January 2021

PER COURT :

1. None present for the parties when the matter is called out.
2. By looking to the old nature of application for condonation of delay, I thought it just and proper to decide the same on its own merits.
3. It is an application for condonation of delay moved by the Executive Engineer, Irrigation Project Strengthening Division, Omerga by taking aid of Section 5 of the Limitation Act, 1963. There seems to be delay of 764 days in preferring the first appeal.
4. Having regard to the reasons assigned in the application for condonation of delay and in order to decide the appeal on merits, it is necessary to condone the delay.
5. The delay stands condoned in the interest of justice.

6. The application for condonation of delay is hereby allowed subject to payment of costs of Rs.3,000/- to the High Court Legal Services Sub-Committee, Aurangabad within a period of three months from today.

7. If the costs, as directed above is deposited, the Registry is directed to register the appeal after due scrutiny as per procedure and thereafter it be placed before the Court for admission after service of notice to all the concerned.

8. It is made clear that if the applicant failed to deposit the amount of costs within stipulated period as stated above, the application for condonation of delay shall stand dismissed without making further reference to the Court.

(SHRIKANT D. KULKARNI, J.)

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