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

**CIVIL APPLICATION NO.5959 OF 2020
IN
FIRST APPEAL (ST.) NO.9006 OF 2020**

The Administrator CIDCO,
Aurangabad

..APPLICANT

VERSUS

Shriniwas s/o Gulabchand Sikchi
deceased thr. Lrs. & anr.

..RESPONDENTS

Mr A. S. Bajaj, Advocate for applicant;
Mr P. K. Lakhotiya, Advocate for respondent Nos.1A to 1C;
Mr S. B. Yawalkar, A.G.P. for respondent No.2

**WITH
CIVIL APPLICATION NO.5957 OF 2020
IN
FIRST APPEAL (ST.) NO.9009 OF 2020**

The Administrator CIDCO,
Aurangabad

..APPLICANT

VERSUS

Ashokkumar s/o Ramkishan Sikchi & ors.

..RESPONDENTS

Mr A. S. Bajaj, Advocate for applicant;
Mr P. K. Lakhotiya, Advocate for respondent Nos.1 to 4;
Mr S. B. Yawalkar, A.G.P. for respondent No.5

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 30th June, 2021

PER COURT:

1. Both these civil applications have been filed by the appellants

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praying for condonation of delay of 108 days in filing the first appeals. We are informed that Civil Application No.5958/2020 in First Appeal (St.) No.9009/2020 and Civil Application No.5960/2020 in First Appeal (St.) No.9006/2020 were considered by this Court while granting ad interim protection to the appellants vide order dated 24/09/2020.

2. We have considered the contentions set out in these two civil applications seeking condonation of delay. The learned Advocate for the original claimants strongly opposes the said applications. The learned A.G.P. appearing on behalf of the State supports the prayer for condonation of delay.

3. We find that an issue as regards the quantum of compensation is impugned in the first appeals. We have gone through the grounds raised in support of the first appeals. Since a case which deserves consideration of this Court has been made out, the delay of 108 days, which is neither deliberate nor inordinate, deserves to be condoned in the light of the law laid down by the Hon'ble Apex Court in the matters of **Collector, Land Acquisition, Anantnag v/s Mst. Katiji, AIR 1987 SC 1353** and **Esha Bhattacharjee v/s Managing Committee of Raghunathpur Nafar Academy, (2013) 12 SCC 649**.

4. As such, both these civil applications are allowed. The delay of

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108 days stands condoned. The first appeals be registered, subject to removal of office objections.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk