

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

CIVIL APPLICATION NO.8639 OF 2021 WITH
CIVIL APPLICATION NO.8640 OF 2021 IN
FIRST APPEAL NO.19014 OF 2021

The Executive Engineer,
Osmanabad Medium Project Division ... **APPLICANT**

VERSUS

Shri Gulab Khuba Rathod & ors. ... **RESPONDENTS**

.....
Mr. Mukul S. Kulkarni, Advocate for applicant
Mr. S.S. Dande, A.G.P. for R.No.2 and 3
.....

CORAM : R. G. AVACHAT, J.

DATE : 16th NOVEMBER, 2021

PER COURT :

In spite of service of notice, there is no appearance on behalf of respondent No.1. For the reasons given in the application, the same is allowed in terms of prayer clause (A). Delay condoned. Appeal be registered.

2. On registration of appeal, notice be issued to respondents returnable on 25th January 2022. Learned A.G.P. waives service for respondents No.2 and 3.

3. Call for record and proceedings.

4. On oral request of learned counsel for the applicant, further time of ten weeks is granted to deposit the amount as has been directed vide order dated 24th August 2021.

**(R. G. AVACHAT)
JUDGE**

fmp/-