

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

**21 CIVIL APPLICATION NO. 12321 OF 2019
IN FAST/25277/2019**

**EX. ENGINEER, OSMANABAD MINOR IRRIGATION DIV.
OSMANABAD UNDER GMIDC, AURANGABAD AND ORS
VS
RAOSAHEB SHRIRANG BHOSALE**

Mr. B. R. Surwase, Advocate for the applicants
Mr. A.A. Jagatkar, AGP for the applicant/State
Mr. S. B. Choudhari, Advocate for the respondent

CORAM : N. J. JAMADAR, J.

DATE : 01-03-2021

P. C.

1. This is an application for condonation of delay in preferring the appeal against the judgment and award dated 02-05-2016. The substance of the application is that the delay occurred in processing the proposal to prefer the appeal as there was lack of expeditious communication.

2. Learned counsel for the respondent-claimant opposed the prayer of condonation of delay.

3. Having regard to the impersonal nature of the applicant, some latitude is required to be given in appraising the reasons

assigned for condonation of delay. It would be in the interest of justice that the appeal is adjudicated on merits. By a separate order this court has permitted the respondent to withdraw 75% of the amount deposited by the applicants.

4. In the circumstances, to advance the cause of substantive justice, the application deserves to be allowed. Hence, the following order.

ORDER

- i. The application stands allowed.
- ii. The delay of 1103 days in preferring the appeal stands condoned.
- iii. The appeal be registered.

[N. J. JAMADAR, J.]