

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

CIVIL APPLICATION NO. 1399 OF 2017  
IN  
FIRST APPEAL ST.NO.31478 OF 2016

Godavari Marathwada Irrigation  
Development Corporation Ltd.,  
through Executive Engineer,  
Latur Medium Project at Latur  
and ors.

..Applicants

Versus

Uttam s/o Govind Musle (died)  
through L.R.  
Sunandabai d/o Uttam Musle

..Respondent

Mr P.P. More, Advocate for applicants

**CORAM : SHRIKANT D. KULKARNI, J.**

**DATE : 22nd January 2021**

**PER COURT :**

1. Heard Mr P.P. More, learned Counsel for applicants/acquiring body.  
Respondent - sole though served, none appeared for respondent when called out.
2. It is an application for condonation of delay in preferring the first appeal.  
It appears that there is delay of 1623 days in preferring the first appeal.
3. Having regard to the reasons assigned in the application for condonation of delay and in order to decide the appeal on merits, I am convinced to condone the delay, however subject to payment of costs of Rs.5,000/-.
4. The delay stands condoned. The application for condonation of delay is hereby allowed subject to payment of costs of Rs.5,000/- to the High Court Legal Services Sub-Committee at Aurangabad within a period of four months from today.

5. If the costs of Rs.5,000/- as directed above is deposited within the stipulated period, 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.

6. If the costs of Rs.5,000/-, as directed above is not deposited within stipulated period, the application for condonation of delay shall stand dismissed without making further reference to the Court.

**( SHRIKANT D. KULKARNI, J.)**

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