

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

**907 CIVIL APPLICATION NO.934 OF 2014
IN FAST/19589/2013**

**EXECUTIVE ENGINEER UPPER PENGANGA PROJECT DIVISION NO.8 NANDED
UNDER GODAWARI MARATHWADA IRRIGATION
VERSUS
GANGARAM SANTANNA**

Mr.B.R. Surwase, Advocate for the applicant.

**CORAM : ANIL L. PANSARE, J.
DATED : 15.07.2022**

PC :-

01. By present Civil Application, the applicant – Executive Engineer, Upper Penganga Project Division No.8, Nanded is seeking to set aside order dated 19.11.2013 passed by the Registrar and to restore First Appeal St. No.19589 of 2013 on file. The applicant further made a prayer to condone the delay of 52 days in filing present application. The learned Advocate for the applicant submits that the learned Registrar has passed the impugned order on account of failure to provide certified copy of award. When enquired, the learned Advocate for the applicant would submit that the certified copy is yet not available and seeks two weeks' time to furnish the same.

02. It is necessary to mention here that the First Appeal has been filed in the year 2013. The present application is filed in the year 2014. For last eight years the applicant could not obtain certified copy. However, one opportunity is being granted in the interest of justice.

03. In view of the above, the order dated 19.11.2013 passed by the learned Registrar stands quashed and set aside by condoning delay of 52 days. The First Appeal be restored to original stage, granting two weeks' time to applicants to furnish certified copy of award, failing which the order passed by the Registrar would be restored automatically without reference to this Court.

04. The Civil Application is disposed of in above terms.

[ANIL L. PANSARE,J.]