

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

CIVIL APPLICATION NO.15453 OF 2022 WITH
CIVIL APPLICATION NO.15452 OF 2022 IN
FIRST APPEAL (ST.) NO.6078 OF 2020

The Executive Engineer,
Beed Minor Irrigation Division

... **APPLICANT**

VERSUS

Bhiku s/o Sunderrao Andhale & ors.

... **RESPONDENTS**

.....

Mr. M.C. Swami, Advocate for applicant
Mr. D.R. Jaybhar, Advocate for R.Nos.1, 2-A to 2-C
Mr. A.M. Phule, A.G.P. for State

.....

WITH

CIVIL APPLICATION NO.15454 OF 2022 WITH
CIVIL APPLICATION NO.15455 OF 2022 IN
FIRST APPEAL (ST.) NO.6243 OF 2020

The Executive Engineer,
Irrigation Project Division, Beed

... **APPLICANT**

VERSUS

Shriram s/o Ratan Bharti & ors.

... **RESPONDENTS**

.....

Mr. M.C. Swami, Advocate for applicant
Mr. D.R. Jaybhar, Advocate for R.Nos.1 to 4
Mr. A.M. Phule, A.G.P. for State

.....

WITH

CIVIL APPLICATION NO.15456 OF 2022 WITH
CIVIL APPLICATION NO.15457 OF 2022 IN
FIRST APPEAL (ST.) NO.6233 OF 2020

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The Executive Engineer,
Irrigation Project Division, Beed

... **APPLICANT**

VERSUS

Uttambuwa s/o Bhujanbuwa Bharti & anr... **RESPONDENTS**

.....
Mr. M.C. Swami, Advocate for applicant
Mr. D.R. Jaybhar, Advocate for R.No.1
Mr. A.M. Phule, A.G.P. for State

WITH

CIVIL APPLICATION NO.15458 OF 2022 WITH
CIVIL APPLICATION NO.15459 OF 2022 IN
FIRST APPEAL (ST.) NO.6219 OF 2020

The Executive Engineer,
Beed Minor Irrigation Division

... **APPLICANT**

VERSUS

Suresh Bharat Bharti & anr.

... **RESPONDENTS**

.....
Mr. M.C. Swami, Advocate for applicant
Mr. D.R. Jaybhar, Advocate for R.No.1
Mr. A.M. Phule, A.G.P. for State

**CORAM : R. G. AVACHAT, AND
R. M. JOSHI, JJ.**

DATED : 17th NOVEMBER, 2022.

PER COURT :

Heard. There is delay of 620 days in filing the
First Appeals. Mr. Jaybhar, learned counsel appears for the
respondents- claimants in all the matters. He opposed to

condone the delay. Perusal of the applications does not show that the delay is deliberate. Interest of justice requires condonation thereof. Hence, the delay stands condoned. Civil Applications for condonation of delay are allowed. First Appeals be registered. On registration of appeals, issue notice to respondents in Appeals as well as in Civil Applications for stay, returnable after twelve weeks. Mr. Jaybhar, learned counsel waives service for respondents-claimants in all the appeals and Civil Applications. Learned A.P.P. waives service for the State.

2. Learned counsel for the applicants seeks stay of the impugned award. Heard learned counsel for the respondents- claimants. He submits that, while granting stay, interest of the claimants be protected. Learned counsel for the applicants makes a statement that the applicants will deposit the entire amount under the impugned award along with interest accrued thereon within a period of twelve weeks from today. Learned counsel for the respondents- claimants does not oppose grant of stay to the said condition. Hence, the following order :

3. On condition of applicants depositing the entire

amount under the impugned award along with accrued interest within a period of twelve weeks from today, there shall be ad-interim relief in terms of prayer clause (B) of Civil Applications for stay.

(R. M. JOSHI, J.)

(R. G. AVACHAT, J.)

fmp/-