

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

**CIVIL APPLICATION NO. 9192 OF 2022**  
**IN FIRST APPEAL (ST) NO. 8880 OF 2022**

THE EXECUTIVE ENGINEER IRRIGATION DEPARTMENT  
OSMANABAD THR GMIDC AURANGABAD  
VERSUS  
SANDIPAN BHAGWAN GAIKWAD AND OTHERS

...  
Advocate for Applicant : Mr. M.C. Swami  
AGP for Respondent Nos.3 and 4 : Mr. P.M. Kulkarni  
....

**CORAM : S.G. DIGE, J.**  
**DATE : 6<sup>th</sup> October, 2022**

**ORDER :**

- . Heard learned Counsel for applicant and learned A.G.P. for respondent Nos.3 and 4.
2. Though the respondent Nos.1 and 2 served but none appears for respondent Nos.1 and 2. Today also none present for respondent Nos.1 and 2.
3. Considering the submissions of both learned Counsel and reasons mentioned in the application, the application is allowed. The delay of 813 days for filing appeal is

condoned.

4. The applicant shall not claim any interest and statutory benefits for the delayed period and shall file undertaking in that regard.

5. Appeal be registered subject to removal of office objections, if any.

6. Civil application is disposed of.

**[S.G. DIGE, J.]**