

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

**CIVIL APPLICATION NO. 5216 OF 2020 IN
FIRST APPEAL ST. NO. 13077 OF 2019**

Executive Engineer,
Minor Irrigation Division
Osmanabad

Applicant

Versus

Datta Hari Khandekar & others

Respondents

Mr. S. G. Sangle, advocate for the Applicant
Mr. B. V.Virdhe, AGP for Respondents No. 3 & 4.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22nd November, 2022.

PC :

Heard rival submissions.

The applicant-acquiring body is seeking condonation of delay of 1473 days which appears to be caused due to obtaining approvals at various stages. The contesting respondents no.1 and 2-original claimants, though served, but remained absent.

Hence, by considering the statutory right of the applicant, delay of 1473 days stands condoned.

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Appeal be placed for admission after removal of
office objections, if any.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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Heard learned Counsel for the applicant-acquiring body and learned AGP for Respondents No.3 and 4. The respondents-claimants no.1 and 2, though served, but remained absent.

There shall be stay to the execution of the impugned judgment and award in terms of prayer clause "B" subject to the condition that the acquiring body shall deposit

entire amount of the impugned award along with interest accrued thereon within twelve weeks.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb