

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

942 CIVIL APPLICATION NO.9094 OF 2019
IN FAST/16877/2019

THE EX. ENGINEER, MAHARASHTRA
INDUSTRIAL DEVELOPMENT CO. MIDC, JALGAON

VERSUS

RAJENDRA CHIMAN KOLHE AND ORS

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Advocate for Applicant : Ms Ashwini R. Mate i/by Jay And Co.
AGP for Respondent Nos. 2 and 3/State : Mr S.N. Morampalle
Advocate for Respondent No.1 : Mr A.B. Kale

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 22nd APRIL, 2022

PER COURT :

1. It is an application for condonation of delay moved by the applicant/acquiring body.
2. Heard Mr A.B. Kale, learned counsel for the original claimant/respondent No.1 and Mr S.N. Morampalle, learned AGP for the State/respondent Nos. 2 and 3.
3. Mr A.B. Kale, learned counsel for respondent No.1/original claimant opposed to condone the delay. He submitted that no sufficient reasons are assigned by the acquiring body to condone the delay.
4. Ms Ashwini R. Mate, learned counsel for the applicant/acquiring body submits that the delay was not intentional. It was resulted due to completing the formalities and sanction from the competent authority. She, therefore, urged to condone the delay.

5. Mr S.N. Morampalle, learned AGP for the State has no objection to condone the delay.

6. Having considered the submissions of learned counsel for the acquiring body, learned counsel for the claimants and learned AGP for the State, I am convinced to allow this application having nature of dispute and in order to decide the appeal on its own merits.

ORDER

- (i) The application is hereby allowed in terms of prayer clause 5(B).
- (ii) The Registry is directed to make scrutiny of the appeal as per procedure and thereafter, it be numbered and placed before the Court for admission.
- (iii) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

mta