

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

922 CIVIL APPLICATION NO.447 OF 2022
IN FAST/19560/2020

THE EX. ENGINEER, MIN. IRRI. DIV.
OSMANABAD AND ANR

VERSUS

SOMNATH KHELBA BHALEKAR AND ORS.

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Advocate for Applicant No.1 : Mr U.P. Giri h/f Mr C.D. Biradar
AGP for Applicant No.2/ State : Mr S.G. Sangle
Advocate for Respondent Nos. 1 to 3 : Mr R.V. Naiknaware

CORAM : SHRIKANT D. KULKARNI, J.
DATE : 10th March, 2022

PER COURT :

1. It is an application for condonation of delay moved by the applicants.
2. Heard Mr U.P. Giri holding for Mr C.D. Biradar, learned counsel for the respective applicant.
3. Issue notice to respondent Nos. 1 to 3/original claimants.
4. Mr Naiknaware, learned counsel submits that he has instructions to appear on behalf of all the respondents/original claimants and he has also filed V.P.
5. His statement is taken on record.
6. Mr Naiknaware, learned counsel for the original claimants strongly opposed to condone the delay. He submitted that the reasons assigned for condonation of delay are neither convincing nor strong. He therefore urged to reject this application.

7. Mr U.P. Giri holding for Mr C.D. Biradar, learned counsel for the respective applicant submitted that the delay was caused in completing the formalities and obtaining sanction from the Law and Judiciary Department. There was no intentional delay.

8. For the reasons stated in the application for condonation of delay para Nos. 2 and 3 and looking to the nature of dispute, the delay needs to be condoned.

ORDER

- (I) The application is hereby allowed in terms of prayer clause (A) and (B).
- (II) The Civil Application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)

mta