

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

CIVIL APPLICATION NO.11250 OF 2021 IN FAST/21926/2021

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT
STRENGTHENING DIVISION OMERGA AND OTHERS
VERSUS

BHIMA AMBAJI JADHAV (DIED) THROUGH LRS
GIRIJABAI BHIMA JADHAV AND OTHERS

....
Ms. Sunita D. Shelke, Advocate for the Applicant / acquiring body
....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 04th JANUARY, 2022

PER COURT:-

1. It is an application for condonation of delay moved by the applicant / acquiring body. There seems to be delay of 534 days in preferring the first appeal.
2. Heard Ms. Sunita Shelke, learned counsel for the applicant / acquiring body. Respondent nos. 1 to 5 though duly served, remained absent when matter is called out.
3. Ms. Shelke, learned counsel for the applicant / acquiring body submits that the delay caused in preferring the appeal was not intentional or deliberate, it occurred due to procedural aspects. She submits that there are various questions of law involved in the proposed appeal and it is necessary to condone the delay.
4. Having regard to the submissions of learned counsel for the applicant and for the reasons stated in the application in para nos. 4 and 5, and in the interest of justice, it is necessary to condone the delay.

ORDER

- (i) The application is hereby allowed in terms of prayer clause (B).
- (ii) The Registry to make scrutiny of the appeal and it be numbered and place before the concerned Court for admission.
- (iii) Civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane