

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

CIVIL APPLICATION NO.11243 OF 2021 IN FAST/21933/2021

**THE EXECUTIVE ENGINEER, IRRIGATION PROJECT
STRENGTHENING DIVISION OMERGA AND OTHERS
VERSUS
VITTHAL SHRIPATI KADAM**

....
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 861 days in preferring the first appeal.
2. Heard Ms. Sunita Shelke, learned counsel for the applicants. None present for the respondent, though duly served with notice.
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