

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

**CIVIL APPLICATION NO.9166 OF 2021 IN RC/1127/2019
IN FAST/38962/2016**

WITH

**CA/9167/2021 IN RC/1126/2019
IN FAST/38959/2016**

WITH

**CA/9168/2021 IN RC/1125/2019
IN FAST/38613/2016**

**THE EXECUTIVE ENGINEER, OSMANABAD MEDIUM PROJECT
M.P. DIVISION, OSMANABAD**

VERSUS

PANDURANG NIVRUTTI GAIKWAD AND ANOTHER

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Mr. Pravin S. Patil, Advocate for the Applicant

Mr. Shashibhushan P. Deshmukh, AGP for Respondents / State

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 02nd MARCH, 2022

PER COURT:-

1. These are the applications moved by the applicant / acquiring body to restore the first appeals on stamp numbers to their original stage.

2. Heard Mr. P.S. Patil, learned counsel for the applicant / acquiring body and Mr. Deshmukh, learned AGP for respondents / State.

3. It is revealed during the course of argument that the applicant / acquiring body failed to furnish necessary copies for

service of notice to respondents in respective applications and these three appeals on stamp numbers came to be dismissed. In the interest of justice, it is necessary to restore these appeals on their original stage.

ORDER

- (i) The applications are hereby allowed.
- (ii) The first appeal (stamp) nos. 38962 of 2016, 38959 of 2016 and 38613 of 2016 are restored to their original file.
- (iii) The copies of civil applications are placed on record by the learned counsel for the applicant / acquiring body. As such, after restoration of appeals on stamp numbers, the Registry is directed to issue notice to respondents / original claimants in respective appeals on stamp numbers, returnable on 27.04.2022. Mr. Deshmukh, learned AGP waives notice for Respondent / State.
- (iv) Civil applications are accordingly disposed of.

**[SHRIKANT D. KULKARNI]
JUDGE**

S.P Rane