

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

928 CIVIL APPLICATION NO.12871 OF 2021
IN FAST/22799/2020

M.K.V.D.C., LTD., THR EX. ENGINEER, IRRIGATION DEPARTMENT
STRENGTHENING DIV. OMERGA

VERSUS

PRABHAWATI DATTU DIXIT (DIED) THR. LRS VITTHAL AND OTHERS

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Advocate for Applicant : Mr. Avishkar S. Shelke.

AGP for Respondent Nos.2 & 3 : Mr. A. B. Chate.

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CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 03rd March, 2022.

P.C.:

. Mr. Shelke, learned counsel for appellant undertakes to remove office objections within four weeks. His undertaking is accepted.

2 It is an application for condonation of delay moved by the applicant. There seems to be delay of 999 days in preferring the appeal.

3 Heard Mr. Shelke, learned counsel for applicant and Mr. Chate, learned AGP for respondent Nos.2 and 3.

4 Respondent No.1/original claimant though duly served with notice, remained absent when the matter is called out.

5 For the reasons stated in the application for condonation of delay, more particularly paragraphs 4 and 5 and looking to the nature of dispute, it is necessary to condone the delay in the interest of justice. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed in terms of prayer clauses (A) and (B).
- II. The Registry to make scrutiny of the appeal as per the procedure and it be numbered and placed before the Court for admission.
- III. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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