

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

926 CIVIL APPLICATION NO.10435 OF 2021
IN FAST/25857/2021

THE EXECUTIVE ENGINEER, LIFT IRRIGATION
DIVN. USMANABAD THR G.M.I.D.C. AURANGABAD

VERSUS

BHAUSAHEB JALINDER SHERKAR AND ORS.

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Advocate for Applicant : Mr S.G. Bhalerao
Advocate for Respondent No. 1 : Mr D.D. Sarawade Patil
AGP for Respondent Nos.2 and 3: Mr P.M. Kulkarni

AND

930 CIVIL APPLICATION NO.10429 OF 2021
IN FAST/25861/2021

THE EXECUTIVE ENGINEER, LIFT IRRIGATION
DIVN. USMANABAD THR G.M.I.D.C. AURANGABAD

VERSUS

PHULCHAND PANDURANG SHERKAR AND ORS.

Advocate for Applicant : Mr S.G. Bhalerao
Advocate for Respondent No. 1 : Mr D.D. Sarawade Patil
AGP for Respondent Nos.2 and 3: Mr P.M. Kulkarni

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 16th March, 2022

PER COURT :

1. These are the applications for condonation of delay moved by the respective claimants/applicants.
2. Heard Mr S.G. Bhalerao, learned counsel for the applicant/acquiring body, Mr P.M. Kulkarni, learned AGP for the State/respondent Nos. 2 and 3 and Mr Sarawade Patil, learned counsel for original claimants.

3. Mr Bhalerao, learned counsel for the acquiring body submitted that the delay was caused in completing the formalities like obtaining approval and sanction from the competent authority. There was no intentional delay on the part of the applicant/acquiring body.
4. Mr Sarawade Patil, learned counsel for the original claimants strongly opposed to condone the delay on the ground that the delay is of large volume. No reasons are assigned for condonation of delay.
5. Mr P.M. Kulkarni, learned AGP have no objection to condone the delay.
6. In Civil Application No. 10435/2021, there is delay of 844 days and in Civil Application No. 10429/2021, there is delay of same volume.
7. For the reasons stated in the applications for condonation of delay para Nos. 2 and 3, the delay needs to be condoned in the interest of justice.

ORDER

- (i) The applications for condonation of delay moved by the applicants/acquiring body are hereby allowed.
- (ii) The Registry to make scrutiny of the appeals as per procedure and thereafter those be numbered and placed before the Court for admission.
- (iii) The Civil Applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)