

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

952 CIVIL APPLICATION NO.12367 OF 2019
IN
FAST/29393/2019

THE EX. ENGINEER, MINOR IRRIGATION DEPARTMENT,
JALGAON
VERSUS
MADHUKAR TOTARAM MAGARE (DIED) THR. L.RS. PUSHPA AND ORS.

Mr S.S. Chillarge, Advocate for applicant
Mr M.M. Bhokarikar, Advocate for respondents no.1 to 5
Mr S.G. Sangle, A.G.P. for respondent no.6

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 17th March, 2022

PER COURT :

1. It is an application for condonation of delay moved by the applicants/acquiring body. There is delay of 374 days in preferring the appeal.
2. Heard Mr S.S. Chillarge, learned Advocate for applicant/acquiring body, Mr M.M. Bhokarikar, learned Advocate for respondents no.1 to 5/original claimants and Mr S.G. Sangle, learned A.G.P. for respondent no.6
3. Mr Bhokarikar, learned Advocate for respondents no.1 to 5/original claimants opposed to condone the delay. He pointed out that no sufficient reasons are assigned for condonation of delay. Mr S.G. Sangle, learned A.G.P. for respondent no.6 has no objection to condone the delay.
4. For the reasons stated in the application in paragraph 4 and 5 and looking to the nature of dispute, delay needs to be condoned in the interest of justice.

ORDER

- (i) The Civil Application is allowed in terms of prayer clause (B).
- (ii) The Registry to make scrutiny of the appeal as per procedure and thereafter, 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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