

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

**CIVIL APPLICATION NO. 8883 OF 2018
IN FAST/39783/2017**

Sayyed Shabbir Sayyed Haju .. Applicant

Versus

The Executive Engineer,
Lower Dudhna Project, Division Selu
and others .. Respondents

Mr. Vilas M. Humbe, Advocate for the Applicant.
Ms. D. S. Jape, AGP for the Respondents-State.

**WITH
CIVIL APPLICATION NO. 8884 OF 2018
IN FAST/41677/2017**

Sayyed Gaffur Sayyed Haju .. Applicant

Versus

The Executive Engineer,
Lower Dudhna Project, Division Selu
and others .. Respondents

Mr. Vilas M. Humbe, Advocate for the Applicant.
Ms. D. S. Jape, AGP for the Respondents-State.

CORAM : ANIL L. PANSARE, J.

DATED : 05th JULY 2022.

PER COURT:-

. The applicants in the above civil applications seek condonation of delay caused in filing first appeal against the impugned award dated 27.01.2016 passed by the Civil Judge Senior Division, Jalna in LAR No.

377/2011 and LAR No. 378/2011.

2. Since there are no malafides attributed against applicants by the respondents and though learned AGP would opposed the application, there will be no gain to the applicants in filing belated appeal. It will be, thus, in the interest to justice to condone the delay, more particularly when the applicants have shown willingness to submit an undertaking to forgo statutory interest for the delayed period that has been caused in filing appeal.

3. In view thereof, applications are allowed subject to applicants furnishing an undertaking as aforesaid to this Court within a period of one week from today as mentioned above.

4. Civil applications are disposed of.

(ANIL L. PANSARE)
JUDGE

PS.B.