

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

51 CIVIL APPLICATION NO. 15193 OF 2019
IN FAST/39386/2019

THE EX. ENGINEER, LOWER DUDHANA PROJECT DIVISION
(FORMERLY) THR EX. ENGINEER AND OTHERS
VERSUS
HARIRAM TUKARAM SHELKE

...
Advocate for Applicant : Mr. S. C. Arora.

Advocate for Respondent : Mrs. Pratibha Jagdish Bharad.

...

AND

53 CIVIL APPLICATION NO. 15191 OF 2019
IN FAST/39376/2019

THE EX. ENGINEER, LOWER DUDHANA PROJECT DIVISION
(FORMERLY) THR EX. ENGINEER AND OTHERS
VERSUS
TUKARAM AASHRUBA JAGTAP

...
Advocate for Applicant : Mr. S. C. Arora.

Advocate for Respondent : Mrs. Pratibha Jagdish Bharad.

...

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

DATE : 28th March, 2022.

P.C.:

. These are the applications for condonation of delay moved by
the acquiring body.

2 Heard Mr. S. C. Arora, learned counsel for acquiring body and
Mrs. P. J. Bharad, learned counsel for original claimants.

3 Mrs. P. J. Bharad, learned counsel for original claimants strongly
opposed to condone the delay. She submitted that the acquiring body
has not assigned sufficient reasons to condone the delay. The
applications may be rejected.

4 Mr. Arora, learned counsel for acquiring body submitted that the
delay has occurred due to completing formalities and sanction from the
competent authority. There was no intentional delay on the part of the
acquiring body to prefer the appeals. He, therefore, urged to condone
the delay in both the matters.

5 I have considered the submissions of both the sides. In Civil
Application No.15191 of 2019 there is delay of 617 days in preferring
the appeal and in Civil Application No.15193 of 2019 there is delay of
689 days in preferring the appeal at the the hands of the acquiring
body.

6 For the reasons stated in the applications for condonation of
delay, paragraphs 5 to 9, the delay needs to be condoned in the
interest of justice. Hence, the following order is passed:

ORDER

- I. Both the applications are hereby allowed in terms
of prayer clause (B).

- II. The Registry to make scrutiny of the appeals as per the procedure and the appeals be numbered and placed before the Court for admission.
- III. Both the civil applications are accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

nga