

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

**CIVIL APPLICATION NO.7808 OF 2021
IN
FIRST APPEAL (ST) NO.6088 OF 2020**

The Ex. Engineer Irrigation Project Div. Beed Thr.
G.M.I.D.C., Aurangabad

... Applicant

Versus

Mahadev Sonaji Londhe and Anr.

... Respondents

...
Advocate for the Applicant : Mr. M. C. Swami
Advocate for Respondent No.1: Mr. D. R. Jayabhar

...
CORAM : S. G. CHAPALGAONKAR, J.

DATE : 17.07.2023

PER COURT :

1. By this application, the applicant / acquiring body seeks to condone the delay of 499 days caused in filing the appeal against the award passed by the Reference Court.
2. Mr. Swami, learned Advocate appearing for the applicant submits that the delay is caused on account of administrative and procedural formalities to be undertaken by the acquiring body. He invites attention of this Court to the reasoning given in Paragraph Nos.2 and 3 of the application and submits that the delay is properly explained.

3. Mr. Jayabhar, learned Advocate appearing for the respondent no.1 however opposes to condone the delay stating that the reasons mentioned in the application are not sufficient to explain the huge delay, hence, the same do not constitute sufficient cause.
4. Having considered the submissions advanced and the reasons as mentioned in the application, it is apparent that the acquiring body has to comply with the administrative and procedural formalities before filing the appeal and time has been consumed in getting those compliance. Hence, the case is made out to condone the delay. Hence, I proceed to pass the following order:

ORDER

- (i) Civil Application is allowed.
- (ii) The delay of 499 days caused in filing the appeal is condoned.
- (iii) Appeal be registered.

[S. G. CHAPALGAONKAR, J.]