

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

**942 CIVIL APPLICATION NO.2972 OF 2020
IN FAST/7677/2020**

**THE STATE OF MAHARASHTRA AND ANOTHER
VERSUS
GOVIND SHANKAR WAGHMARE**

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Mr. S.N. Kendre, A.G.P. for applicant-Acquiring Body.
Mr. S.S. Chillarge, Advocate for respondent Nos.1, 2/A to 2/D.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 08.02.2023.

ORDER:-

1. The appellant – State Acquiring Body is seeking condonation of delay of 2914 days in filing the appeal, which appears to be caused due obtaining sanctions at various stages. The learned Counsel for the claimants strongly opposed the application on the ground that the State Acquiring Body, despite direction, failed to deposit the compensation amount. However, if the State Acquiring Body has committed breach of conditional order, then the claimants can very well pursue the remedy of execution as if there is no stay in existence at this juncture.

2. In view of statutory right of the appellant Acquiring Body, the delay of 2914 days stands condoned.

3. The appeal be placed for admission after removal of office objections, if any.
4. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)