

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.4558 OF 2016
IN FAST/8108/2016**

**THE EXECUTIVE ENGINEER, IRRIGATION DIVISION,
OSMANABAD AND ORS
VERSUS
MAHADEO GUNDIBA AHER DIED THR HIS LRS RAJARAM
MAHADEO AHER**

**AND
CIVIL APPLICATION NO.4566 OF 2016
IN FAST/8096/2016**

**THE EXECUTIVE ENGINEER, IRRIGATION DIVISION,
OSMANABAD AND ORS
VERSUS
DHARMARAJ HARIRAM KSHIRSAGAR**

**AND
CIVIL APPLICATION NO.4556 OF 2016
IN FAST/7970/2016**

**THE EXECUTIVE ENGINEER, IRRIGATION DIVISION,
OSMANABAD AND ORS
VERSUS
SAMBHAJI GUNDIBA AHER**

...

Mr. Mayur Subhedar h/f Ms. Madhubala B. Gangwal, Advocate
for the Applicants.

Mr. S. A. Wakure, Advocate for Respondent.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 11th AUGUST, 2023.

PER COURT:-

1. By these applications, the applicants seek to condone the delay of 776 days caused in filing the appeals against the award passed by the Reference Court under the Land Acquisition Act.

2. The learned Advocate appearing for the applicants submits that the delay has been occasioned on account of administrative and procedural aspects. The applicants have not derived any disadvantage by making delay.

3. The learned Advocate appearing for the respondents opposes the prayer stating that the reasons as stated in the application does not constitute sufficient cause.

4. Having considered the submission advanced and reasons as stated in the paragraph no.2 of the applications, it is apparent that the Acquiring Body is required to obtain various sanctions and administrative approvals. Time has been consumed in following that process. The delay is not intentional. The applicants have not derived any disadvantage by making such delay. In that view of the matter, case is made out to condone the delay. Hence, the following order:

ORDER

- a. Civil Applications are allowed.
- b. Delay of 776 days caused in filing the appeals is condoned.
- c. Appeals be registered subject to removal of office objections, if any.
- d. Civil Applications are disposed of.

(S. G. CHAPALGAONKAR)
JUDGE