

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

944 CIVIL APPLICATION NO.7669/2022
IN FAST/8488/2022 AND
CA/7670/2022 IN FAST/8488/2022

THE EXE. ENGINEER, IRRIGATION DIV., BEED AND ORS
VERSUS
DADASAHEB S/O BANSI BHANGE AND ANR

...

Advocate for Applicants : Mr. B.R. Surwase
Adv. for Respondents: Kedar Shrimant Ravsaheb

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 28TH JULY, 2023

ORDER :-

1 By this application the applicants are seeking to condone the delay of 746 days caused in filing the appeal against the judgment and award passed by the Reference Court in L.A.R. No. 32 of 2012.

2. Mr Surwase learned counsel for the acquiring body invites attention of this Court to para. Nos. 4 to 6 of the application and submits that the delay is not intentional and deliberate but caused due to procedural compliances.

3. Learned Counsel for respondents opposes application and states that the sufficient cause is not made out.

4. Having considered the submissions advanced and taking into account the reasons stated in para Nos. 4 to 7 of the application, it is apparent that the applicant has taken steps to get various approvals for filing the appeal and time has been consumed for that purpose.

Therefore, delay caused is sufficiently explained. Hence, civil application is allowed. Delay of 746 days caused in filling the appeal is condoned. Appeal be registered.

IN Civil application No. 7670 of 2022

Mr. Surwase, learned counsel for the applicant submits that the entire amount as per the award of the Reference Court is deposited. The statement is not disputed by the respondent.

In that view of the matters civil application is allowed in terms of prayer class (B) and same is disposed of .

[S.G. CHAPALGAONKAR]
JUDGE

grt/-