

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

**CIVIL APPLICATION NO.9376 OF 2022
IN FIRST APPEAL (ST) NO.14187 OF 2020**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV. ZILLA PARISHAD,
THR. ITS AUTHORIZED OFFICER, OSMANABAD
VERSUS
MANIK RAJARAM KADAM AND ORS.

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**CIVIL APPLICATION NO.9372 OF 2022
IN FIRST APPEAL (ST) NO.14193 OF 2020**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV. ZILLA PARISHAD,
THR. ITS AUTHORIZED OFFICER, OSMANABAD
VERSUS
ASHRUBA BALBHIM RASAL AND ORS.

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**CIVIL APPLICATION NO.9374 OF 2022
IN FIRST APPEAL (ST) NO.14190 OF 2020**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV. ZILLA PARISHAD,
THR. ITS AUTHORIZED OFFICER, OSMANABAD
VERSUS
VIKRAM EKNATH KADAM AND ORS.

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**CIVIL APPLICATION NO.9370 OF 2022
IN FIRST APPEAL (ST) NO.10495 OF 2020**

THE EXECUTIVE ENGINEER MINOR IRRIGATION DIV. ZILLA PARISHAD,
THR. ITS AUTHORIZED OFFICER, OSMANABAD
VERSUS
DATTATRAYA PARASRAM KADAM AND ORS.

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Advocate for Applicant/s: Mr. Raut Rajdeep D.
AGP for Respondents/State: Mr. P. M. Kulkarni
Advocate for Respondent Nos.1-A to 1-C: Mr. A. B. Kale

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.08.2023

PER COURT :

1. By these application/s, the applicants seek to condone the delay of 822 days caused in filing the appeals challenging the order passed by the Reference Court under the Land Acquisition Act.
2. The applicants are the acquiring body. It is the contention of the applicants that because of administrative and procedural reasons, the appeals could not be filed in time. The delay is not intentional. The applicants have strong grounds in the appeals. Hence, they urge to condone the delay.
3. Per contra, learned Advocate appearing for the respondents submits that no sufficient cause is made out to condone the delay. The reasons as stated in the applications cannot be accepted as sufficient cause to condone inordinate delay of more than 800 days.
4. Having considered the submissions and the reasons as incorporated from Paragraph Nos.2 to 6 of the applications, it is apparent that, the applicants require to follow the administrative procedure and seek approval at various stages. The delay caused in the appeal does not appears to be intentional. The reasons as stated in the applications are uncontraverted. In that view of the matter, case is made to condone the delay. Hence, the following order:

ORDER

- a. Civil Applications are allowed.

- b. The delay of 822 days caused in filing the appeals is condoned.
- c. Appeal be registered, subject to removal of office objections, if any.
- d. Civil Applications are disposed of.

[S. G. CHAPALGAONKAR]
JUDGE

Sameer