

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

924 CIVIL APPLICATION NO.458 OF 2023
IN FAST/13338/2022

M.K.V.D.C., THR EX. ENGINEER, IRRIGATION PROJECT
STRENGTHENING DIV. OMERGA
VERSUS
SHARNAPPA S/O BASAPPA BARULE (DIED) THR LRS TEJYABAI
AND ORS.

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WITH
CA/464/2023 IN FAST/13335/2022
WITH
CA/466/2023 IN FAST/13343/2022

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Advocate for Applicant : Mr. A.S. Shelke
AGP for Respondents: Mr. P. M. Kulkarni

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: August 08, 2023

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PER COURT :-

1. By way of these applications, the applicant seeks to condone the delay of 1129 days caused in filing the appeals.
2. Mr. Shelke, learned advocate appearing for the applicant submit that the delay has been caused on account of the administrative and procedural reasons. The applicant has not derived disadvantage by making delay. The applicant/appellant has good grounds in appeal. By inviting attention of this Court to the contentions in paragraph nos.5 to 12 of the application, he would submit that sufficient cause is made out.
3. The notice of these applications is served upon the respondents, however, there is no contest as regards to the contentions raised in the application.

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4. Apparently, delay has been occasioned due to procedural aspects. The applicant is required to obtain various sanctions from different authorities for filing the appeal. Further, during the intervening period, due to out-brake of Covid-19, the procedure could not be expedited.

5. Considering the submissions advanced sufficient cause is made out to condone the delay. Hence, the order.

ORDER

- i. Applications are allowed.
- ii. Delay of 1129 days caused in filing the appeal is condoned.
- iii. Appeals be registered subject to removal of the office objections.
- iv. Civil applications are disposed off.

(S. G. CHAPALGAONKAR, J.)

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