

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

65 CIVIL APPLICATION NO.9250 OF 2023
IN FAST/22718/2023

WITH

CIVIL APPLICATION NO.9252 OF 2023
IN FAST/22718/2023

WITH

FIRST APPEAL STAMP NO.22718 OF 2023

...

THE EXECUTIVE ENGINEER MINOR IRRIGATION
DIVISION NO1 SINCHAN BHAVAN AURANGABAD

VERSUS

KASABAI CHINTAMAN GADHARI & OTHERS

...

Advocate for the applicant : Adv.S.V.Gaikwad
Advocate for Respondent no.1 : Mr.D.A.Bide

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 11.09.2023

P.C. :

**A] ORDER IN CIVIL APPLICATION FOR
CONDONATION OF DELAY:**

1] The present Civil Application is filed to condone
the delay of 233 days in filing the First Appeal.

2] The learned counsel for the respondents has no
objection to allow the present Civil Application.

3] For the reasons stated in the Civil Application, the same is allowed. Delay is condoned. Civil Application is disposed of accordingly.

**B] ORDER IN CIVIL APPLICATION FOR STAY AND
FIRST APPEAL :**

1] Issue notice to the respondents, returnable on 20th December, 2023. Mr.D.A.Bide, learned counsel waives notice for the respondent no.1.

2] There shall be ad-interim stay to the impugned Award passed by the 5th Joint Civil Judge Senior Division Aurangabad in LAR No.78 of 2015 subject to deposit of 100% award amount of compensation as directed by the Reference Court along with accrued interest thereon within 12 weeks from today.

**[ARUN R. PEDNEKER]
JUDGE**

DDC