

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

959 CIVIL APPLICATION NO.9115 OF 2023
IN FAST/25255/2022 WITH CA/9112/2023 IN FAST/25656/2022 WITH
CA/9114/2023 IN FAST/25666/2022 WITH CA/9116/2023 IN
FAST/25261/2022 WITH CA/13524/2022 IN FAST/25255/2022 WITH
CA/13525/2022 IN FAST/25255/2022 WITH CA/13532/2022 IN FAST/
25261/2022 WITH CA/13533/2022 IN FAST/25261/2022 WITH
CA/13529/2022 IN FAST/25656/2022 WITH CA/13530/2022 IN FAST/
25656/2022 WITH CA/13527/2022 IN FAST/25666/2022 WITH
CA/13528/2022 IN FAST/25666/2022

KACHARU SAHEBRAO THOSAR AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

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Advocate for Applicants : Mr. Saurabh Avhad h/f. Mr. Jayabhar D.R.
AGP for Respondents: Mr. P.M. Kulkarni,
Advocate for Respondents : Mr. S.G. Bhalerao.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH AUGUST, 2023

ORDER :-

IN C.A. FOR CONDONATION OF DELAY :-

By this application, the applicant is seeking to condone the delay of 970 days caused in filing the appeal against the award passed by the Reference Court.

2. Mr. Bhalerao learned counsel submits that the delay has been caused on account of time consumed in compliance of procedural and administrative formalities. He submits that the Acquiring Body has not derived any benefit by making the delay. He has further invited attention of this court to para. Nos. 2 to 4 of the application to support

his contention.

3. Apparently, the delay in filing the appeal is procedural and the applicants have not derived any benefit due to the said delay. In that view of the matter, the application deserves to be allowed.

4. Hence, the following order :-

[a] The civil applications are allowed. Delay of days caused in filing the appeal is condoned subject to removal of office objections if any. Appeals be registered.

[b] Applications are disposed of.

IN STAY APPLICATION :-

Mr. Bhalerao, learned advocate for the appellant submits that 50% of the amount as per the award passed by the Reference Court has been deposited with the Registry of this Court. The statement is not controverted.

In that view of the matter, civil application is allowed in terms of prayer clause (B) and stand disposed of.

IN CA. NO. 9115 OF 2023

Stand over to 25th August, 2023.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-