

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

934 CIVIL APPLICATION NO.1385 OF 2023
IN FAST/28965/2022 WITH CA/1386/2023 IN FAST/28965/2022
WITH CA/1387/2023 IN FAST/28965/2022

EX. ENGINEER, LATUR MINOR IRRIGATION DIV. LATUR
UNDERGMIDC, AURANGABAD AND ANR
VERSUS
LIMBAJI BHAGWAN JANKAR

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Advocate for Applicants : Mr. B. R. Survase
Advocate for Respondent : Mr. G. K. Sontakke

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 18/04/2023.**

P. C. :

A) ORDER IN CIVIL APPLICATION NO.1385 OF 2023 :

Since the acquiring body being the necessary party was not made party to the original reference before the lower court, leave to file appeal is granted as claimed. Accordingly, the application stands disposed of.

B) ORDER IN CIVIL APPLICATION NO.1386 OF 2023:

1. The appellant – acquiring body in this application is seeking condonation of delay of 2989 days, which appears to be caused due to obtaining sanctions at various stages. There is no strong objection from other side and therefore the delay of 2989 days stands condoned.

2. The appeal be placed for admission after removal of office objections, if any. Application is accordingly disposed of.

C) ORDER IN CIVIL APPLICATION NO.1387 OF 2023 :

1. Heard rival submissions.
2. There shall be interim relief in terms of prayer clause-B subject to deposit of entire amount of compensation alongwith the interest, within a period of 12 weeks.

(SANDIPKUMAR C. MORE, J.)

VS Maind/-