

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

**CIVIL APPLICATION NO.16865 OF 2022 IN
FIRST APPEAL ST. NO. 30016 OF 2022**

The Executive Engineer,
Seena Kolegaon Medium Project,
Paranda

Applicant

Versus

Vidhyadhar Vyankatesh Kulkarni
and others

Respondents

Mr. Mukul S. Kulkarni, advocate for the Applicant
Mr. A. S. More, advocate for Respondents No.1 and 2.
Mr. B. V. Virdhe, AGP for Respondents No. 3 & 4.

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 07th February, 2023.

PC :

Heard.

Issue notice to the respondents. Learned Counsel
Mr. More waives service for respondents no.1 and 2 and
learned AGP waives notice for respondents no. 3 and 4.

Heard rival submissions.

The acquiring body is seeking condonation of delay
of 134 days which appears to be caused due to obtaining of
approvals at various stages. Though the application is

opposed by the learned Counsel for the respondents-claimants, but considering the statutory right of the appellant-acquiring body, delay of 134 days stands condoned.

Appeal be placed for admission after removal of office objections, if any.

Civil Application is disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb

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There shall be *ad interim* relief in terms of prayer
clause (A) subject to deposit of 60% amount of the impugned

award along with the proportionate interest accrued thereon
till date, within twelve weeks from this order.

(SANDIPKUMAR C. MORE)
JUDGE

adb