

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

**CIVIL APPLICATION NO. 652 OF 2020
IN
FIRST APPEAL STAMP NO. 41048 OF 2019**

The Executive Engineer, Minor Irrigation
Division, Osmanabad and others .. Applicants
Versus
Narshing Shekaba Padwal .. Respondent

Shri Umakant P. Giri, Advocate for the Applicants.
Shri V. V. Torde, Advocate for the Respondent.

**CORAM : S. G. CHAPALGAONKAR, J.
DATE : 07TH JUNE, 2023.**

FINAL ORDER :

. Heard.

2. This civil applications is filed seeking condonation of delay of 1702 days caused in filing the appeal challenging judgment and award dated 23.01.2015 passed by the 04th Joint Civil Judge Senior Division, Osmanabad in L. A. R. No. 266of 2009.

3. Mr. Giri, learned advocate appearing for the applicants would submit that sufficient cause has been made out to condone the delay. He would invite attention of this Court to the contents of the application particularly para Nos. 2 and 3 and would submit that the delay has been caused on administrative reasons, which is not intentional.

4. Learned advocate appearing for the respondent/original claimant vehemently opposes the application and points out that there is no explanation for huge delay. He would further submit that till this date the applicants have not deposited the amount in terms of award passed by the Reference Court. As such claimant is deceived of his rightful claim.

5. Having considered submissions advanced by the learned advocate appearing for respective parties and pleadings in para Nos. 2 and 3 of the application, it appears that, the delay is caused because of administrative reasons and no intentional default can be attributed against the applicants. In view of the aforesaid reasons, the civil application is allowed. The delay caused in filing the first appeal is condoned. Appeal be registered. The civil application is disposed of.

[S. G. CHAPALGAONKAR, J.]

bsb/June23