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

4 CIVIL APPLICATION NO. 4101 OF 2024

IN FAST/5181/2024

CIVIL APPLICATION NO. 4103 OF 2024

IN FAST/5202/2024

CIVIL APPLICATION NO. 4106 OF 2024

IN FAST/5195/2024

CIVIL APPLICATION NO. 4108 OF 2024

IN FAST/5191/2024

CIVIL APPLICATION NO. 4111 OF 2024

IN FAST/5198/2024

**THE EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT
STRENGTHENING DIVISION OMERGA AND ORS**

....Applicant

VERSUS

KUNDLIK S/O RAMRAO MANE

.....Respondent

Mr. S. S. Dande, Advocate for the applicant

Mr. L. C. Patil, Advocate for the respondents

CORAM : KISHORE C. SANT, J.

DATE : 10th JUNE, 2024

P. C.

1. Heard.

2. Issue notice to the respondents. Mr. Patil, learned

advocate waives service of notice for the respondents.

3. Applications are filed seeking condonation of delay caused in failing the appeals challenging the judgment and award dated 27-04-2015 passed by learned CJSD, Osmanabad in respective LARs by way of common judgment and order.

4. It is stated in the application that though the certified copies were applied on 29-05-2015, those were received on 05-06-2017 and same has collected on 10-06-2015. Some time was taken thereafter in obtaining the legal advise. Thereafter, papers were handed over to the panel advocate with instructions to file appeals in this court. However, there was no response and communication from the panel Advocate. The Authorities were under impression that the appeals must have been filed as the Advocate has informed the department to make arrangement for court and stamp fees. Department even started demanding funds from the Corporation. In this process some time has been spent.

5. Learned Advocate for the applicant submits that there is no intention to cause delay. The delay is not deliberate. The appellant is even ready to deposit the amount of award alongwith interest till the date of depositing the amount in this court. He, thus, prays for condonation of delay.

6. Learned advocate for the claimants has appeared suo-moto. He opposed the application stating that no sufficient reasons are mentioned in the application. No specific dates of sending the proposal and receiving the the legal opinion are mentioned. It was necessary for the appellants to get in touch with the panel Advocate.

7. Considering the arguments, this court finds that though the delay is not satisfactory explained, considering the fact the appellants are ready to deposit the amount, this court is inclined to allow the applications. Hence, the following order:-

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ORDER

- i] The applications stand allowed.
- ii] Delay stands condoned.
- iii] Office to register the appeals.

[KISHORE C. SANT, J.]

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