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3CA4086.24

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

3 CIVIL APPLICATION NO. 4086 OF 2024
IN FAST/6611/2024

WITH

CIVIL APPLICATION NO. 4084 OF 2024
IN FAST/6587/2024

CIVIL APPLICATION NO. 4096 OF 2024
IN FAST/6602/2024

CIVIL APPLICATION NO. 4094 OF 2024
IN FAST/6598/2024

CIVIL APPLICATION NO. 4092 OF 2024
IN FAST/6595/2024

CIVIL APPLICATION NO. 4090 OF 2024
IN FAST/6590/2024

CIVIL APPLICATION NO. 4088 OF 2024
IN FAST/6608/2024

CIVIL APPLICATION NO. 4098 OF 2024
IN FAST/6605/2024

THE EX. ENGINEER, IRRI. PROJ. STRENGTHENING DIVISION
OMERGA NOW OSMANABAD M.P. OSMANABAD AND ORS
....Applicant

VERSUS

GANPATI DATTATRAY SONAR VEDPATK DIED L RS
PANDURANG GANPATI SONAR VEDPATHAK
.....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 30-01-2015 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 24-04-2017, those were received on 03-05-2017 and same were collected on 16-08-2017. Some time was taken thereafter in obtaining 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. 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 satisfactorily explained, considering the

fact the appellants are ready to deposit the amount, this court is inclined to allow the applications. Hence, the following order:-

ORDER

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

[KISHORE C. SANT, J.]

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