



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

CIVIL APPLICATION NO. 8042 OF 2022 IN FAST/8480/2022

EX. ENGINEER, BEED IRRIGATION DIV. BEED UNDER GMIDC,
AURANGABAD AND OTHERS

VERSUS

MADHUKAR S/O. NIVRUTTI ANDHALE

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Advocate for Applicant No.1 : Mr. B. R. Survase

AGP for Applicants No.2 and 3 : Mr. P. D. Patil

Advocate for Respondent : Mr. Suhas R. Shirsat

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CORAM : S. G. MEHARE, J.

DATE : 26-04-2024

PER COURT :-

1. Heard the learned counsels for the parties.
2. Perused the application.
3. Learned counsel for the applicant submits that due to Covid-19 pandemic, there was delay. However, the office has not considered the period of Covid-19 pandemic. After excluding the said period, there is inordinate delay of 719 days in preferring the appeal. The grounds for condonation of delay are not reasonable and proper. However, to protect the interest of the Government, the application deserves to be allowed by imposing certain costs. Hence, the order;

ORDER

- i) The application is allowed.

- ii) Delay caused in preferring appeal stand condoned subject to costs of Rs.500/- (Rs. Five Hundred) per month for the delayed period, recoverable from the pocket/salary of the errant officer/s.
- iii) The costs be deposited within eight weeks from today.
- iv) After depositing the costs, the office to register the appeal according to law.
- v) Issue notice to respondent.
- vi) Mr. Shirstat, learned counsel waives service of notice for respondent/claimant.
- vii) List the appeal on 13.08.2024.

(S. G. MEHARE)
JUDGE

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