



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6470 OF 2022
IN FAST/2422/2022

THE EX. ENGINEER, OSMANABAD MINOR IRRIGATION DIV.
OSMANABAD

VERSUS

ANITA W/O RANGANATH BHOSALE AND ORS

...

Advocate for Applicant : Mr.G.N.Chincholkar h/f.

Mrs. Surekha G. Chincholkar

Advocate for Respondent no.1 : Mr. Naiknavare Ramesh Vitthal

AGP for Respondent nos.2 & 3 : Mr.N.D.Batule

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 01 AUGUST, 2025

ORDER :-

1. Heard.

2. Present application is for condonation of delay of 2767 days caused in filing the appeal against judgment and order of the Reference Court passed in the land acquisition reference.

3. Learned counsel for applicant acquiring body submits that they had to meet various authorities for obtaining sanction for court fees and therefore, delay is caused for administrative reason. It is further

submitted that delay is not intentional or deliberate. Therefore, learned counsel urges for condonation of delay.

4. Learned counsel for respondent no.1 claimant opposes the application.

5. I have gone through the contents of the application. In view of observations of Hon'ble Supreme Court in the case of ***Suresh Kumar v. State of Haryana and Ors.*** dated 23-04-2025 passed in Civil Appeal arising out of SLP (C) No.670 of 2020 with connected matter and for the reasons mentioned in the application, application deserves to be allowed. Accordingly, application is allowed. Delay stands condoned.

6. Appeal be registered. On registration of appeal, issue notice to the respondents, returnable within four weeks thereafter. Mr.Naiknaware, learned counsel waives service of notice for respondent no.1. Learned AGP waives service of notice for respondent nos.2 and 3.

(ABHAY S. WAGHWASE)
JUDGE