



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

**CIVIL APPLICATION NO. 2059 OF 2025
IN
FIRST APPEAL STAMP NO. 2473 OF 2024**

The Executive Engineer Laghu
Patbhandhare Vibhag Dhule .. Applicant
Versus
Girish Ramanlal Jain and others .. Respondents

**WITH
CIVIL APPLICATION NO. 2061 OF 2025
IN
FIRST APPEAL STAMP NO. 2477 OF 2024**

The Executive Engineer Laghu
Patbhandhare Vibhag Dhule .. Applicant
Versus
Devidas Jayram Patil and others .. Respondents

**AND
CIVIL APPLICATION NO. 2126 OF 2025
IN
FIRST APPEAL STAMP NO. 2470 OF 2024**

The Executive Engineer Laghu
Patbhandhare Vibhag Dhule .. Applicant
Versus
Gokul Baburao Patil and others .. Respondents

Shri Ajay D. Pawar, Advocate for the Applicant in all matters.
Shri A. B. Kale, Advocate for the Respondent No. 1 in all matters.
Shri D. B. Bhange, A.G.P. for the Respondent Nos. 2 to 4 in all matters.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 14TH AUGUST, 2025.**

FINAL ORDER :

. Heard both sides.

2. These civil applications are for condonation of delay. Learned counsel for the applicant/acquiring body submits that reasons mentioned in the applications are good grounds to condone the delay. There are no malafides on the part of the acquiring body to file the appeals belatedly.

3. Learned counsel Mr. Kale for the respondent No. 1/claimant would oppose the submissions. It is vehemently submitted that the acquiring body has purposefully filed these appeals belatedly when execution in the matters was pressed. It is contended that in very similarly situated matters acquiring body did not prefer to file any appeal and amounts of compensation have also been disbursed. Due to oblique motive exceptions are taken out for preferring appeals in the present civil applications.

4. I have considered rival submissions of the parties. The averments in the applications have not been controverted by filing reply. I do not find any malafides in preferring the appeals belatedly. Just because appeals are preferred in three matters only due to persuasion before the Executing Court cannot be a ground to discard the reasons stated in the applications for condonation of delay.

5. However, this Court cannot be oblivious of the fact that the acquiring body has made considerable delay in preferring

appeals. The equities can be balanced while considering the applications for withdrawal of amounts.

6. For the reasons stated above, the delay caused in preferring appeals stands condoned. Office is directed to register the first appeals. The civil applications are disposed of.

[SHAILESH P. BRAHME J.]

bsb/Aug. 25