



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

**99 CIVIL APPLICATION NO. 2069 OF 2025
IN FAST/3495/2025**

**THE EXECUTIVE ENGINEER LMP LMI DIVISION LATUR & ORS
VERSUS
HIMMATSIHHA BABUSIHHA GAHIRWAR AND ANR**

WITH CIVIL APPLICATION NO. 2070 OF 2025 IN
FAST/3495/2025 WITH CIVIL APPLICATION NO. 2076 OF
2025 IN FAST/3505/2025 WITH CIVIL APPLICATION NO.
2084 OF 2025 IN FAST/3519/2025 WITH CIVIL APPLICATION
NO. 2073 OF 2025 IN FAST/3502/2025 WITH CIVIL
APPLICATION NO. 2071 OF 2025 IN FAST/3498/2025 WITH
CIVIL APPLICATION NO. 2072 OF 2025 IN FAST/3498/2025
WITH CIVIL APPLICATION NO. 2074 OF 2025 IN
FAST/3502/2025 WITH CIVIL APPLICATION NO. 2075 OF
2025 IN FAST/3505/2025 WITH CIVIL APPLICATION NO.
2077 OF 2025 IN FAST/3509/2025 WITH CIVIL APPLICATION
NO. 2078 OF 2025 IN FAST/3509/2025 WITH CIVIL
APPLICATION NO. 2079 OF 2025 IN FAST/3512/2025 WITH
CIVIL APPLICATION NO. 2080 OF 2025 IN FAST/3512/2025
WITH CIVIL APPLICATION NO. 2081 OF 2025 IN
FAST/3516/2025 WITH CIVIL APPLICATION NO. 2082 OF
2025 IN FAST/3516/2025 WITH CIVIL APPLICATION NO.
2083 OF 2025 IN FAST/3519/2025

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Advocate for applicants : Mr. Ruturaj Chandrashekar Patil.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 09.06.2025**

PER COURT :-

1. Heard learned counsel Mr. Patil. None appears for respondents though duly served.

2. Learned counsel for the applicants submits that the delay caused in preferring appeals is unintentional. He would advert my attention to paragraph Nos.2 and 3 and prays that delay caused in preferring appeals sought to be condoned. There are no malafides in preferring the appeals belatedly.

3. I have gone through the contents of applications for condonation of delay which are uncontroverted. Those are good grounds to condone the delay and hear the first appeals on merits.

4. Learned counsel for the applicants is ready to deposit the amount awarded in the Reference Court if the time is extended. In that case, to balance the equities, the respondents/applicants would be permitted to withdraw the part of the amount.

5. Civil applications for delay are allowed in terms of prayer clause "A".

6. Office shall register first appeals.

In First Appeals

7. **Admit.**

8. Call for Record and Proceedings from the concerned Court.

9. In case, the amount awarded by the impugned award is deposited within the time granted today, the respondents/claimants shall be at liberty to withdraw 50% of the amount on furnishing undertaking to the satisfaction of the Registrar (Judicial).

In Civil Applications for Stay

10. Learned counsel for the applicants submits that due to unavoidable circumstances, it is not possible for the applicants to deposit the amount within stipulated period. He prays for some more time to deposit the amount. Accepting the request of applicants time of six (6) weeks is granted to deposit the amount under award. In case of failure, ad-interim stay granted on earlier occasion shall stand vacated automatically without reference to the Court.

11. Till then, ad-interim relief shall continue to operate which was granted earlier.

In FAST Nos.3498/2025, 3516/2025

12. Time of six (6) weeks is granted to take steps against the deceased respondents.

(SHAILESH P. BRAHME, J.)

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vmk/-