



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

904 CIVIL APPLICATION NO. 10818 OF 2021
IN FAST/9961/2020

THE EX. ENGINEER, MINOR IRRIGATION PROJECT DIV. 1
AURANGABAD THR G.M.I.D.C., AURANGABAD

VERSUS

PANDIT GANGU RATHOD AND ANR

...

Advocate for Applicant : Ms. Vaishali S. Swami, h/f Mr. Mahesh C. Swami.

AGP for Respondent / State : Mr. Rajkumar B. Dhaware.

Advocate for Respondents / Claimants : Mr. D. A. Bide.

...

AND

CIVIL APPLICATION NO. 6910 OF 2022
IN FAST/9965/2020

THE EX. ENGINEER, MINOR IRRIGATION PROJECT DIV. 1
AURANGABAD THR G.M.I.D.C., AURANGABAD

VERSUS

BHAGCHAND SANDU RATHOD AND ANR

...

Advocate for Applicant : Ms. Vaishali S. Swami, h/f Mr. Mahesh C. Swami.

AGP for Respondent / State : Mr. Rajkumar B. Dhaware.

Advocate for Respondents / Claimants : Mr. D. A. Bide.

...

AND

CIVIL APPLICATION NO. 6901 OF 2022
IN FAST/9969/2020

THE EX. ENGINEER, MINOR IRRIGATION DIVISION 1, AURANGABAD
THR G.M.I.D.C., AURANGABAD

VERSUS

SUDAM SANDU RATHOD AND ANR

...

Advocate for Applicant : Ms. Vaishali S. Swami, h/f Mr. Mahesh C. Swami.

AGP for Respondent / State : Mr. Rajkumar B. Dhaware.

Advocate for Respondents / Claimants : Mr. D. A. Bide.

...

...

Advocate for Appellant (in FA/3891/2019): Mr. Sham B. Patil.

Advocate for Appellant (in FA/1734/2021): Mr. Anil M. Gaikwad.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 21st January, 2025.

P.C.:

. Heard the learned counsel for the parties.

2 These are applications for condonation of delay of 628, 435 and 705 days, respectively, caused in filing the first appeals.

3 The learned counsel for the applicant pointed out and submitted that the delay is caused because of seeking permission and providing documents to the higher authority. The applicant could not contact with the panel advocates to work out these matters. Therefore, the delay is caused. It is lastly prayed to allow these applications in the interest of justice.

4 The learned counsel for the respondents / claimants strongly opposes the applications. It is lastly prayed to reject these applications.

5 For the reasons stated in the application and considering the arguments of both sides, the delay caused in filing the first appeals deserves to be condoned in the interest of justice, however, on payment of some costs.

6 In view of the above, subject to the applicant depositing Rs.5,000/- (Rupees Five Thousand Only) in each application in the account of the Creche – Day Care Centre, Advocates' Association of Bombay High Court, Bench at Aurangabad, within two weeks from today, the delay is condoned. The applications are allowed. Appeals be registered.

Appeals:

7 Issue notice to the respondents. Mr. D. A. Bide, learned counsel waives notice on behalf of claimants.

8 The paper-books and charts tendered by Mr. Bide, learned counsel for claimants are taken on record.

[SANJAY A. DESHMUKH, J.]

nga