

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 3909 OF 2025
IN FAST/10044/2025

The Executive Engineer Osmanabad Medium Project At Osmanabad

VERSUS

Uttam Fakira Jagdhane And Ors

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Advocate for Applicant : Mr. Tambe Rahul Ashokrao

AGP for Respondent/State : Mr. V.S. Badakh

Advocate for Respondents/Original Claimants : Mr. Prasanna S.
Chavan

WITH

CIVIL APPLICATION NO. 3911 OF 2025
IN FAST/10044/2025

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CORAM : S.G. CHAPALGAONKAR, J.

DATED : APRIL 08, 2025

PER COURT :

1. Heard learned advocates appearing for the respective parties.
2. The applicant seeks to condone delay of 604 days caused in filing the appeal.
3. Perused the application and reasons as stated therein. Apparently, delay is occasioned on account of administrative exigency. The applicant has not derived any advantage by making such delay. The contents of the application are not controverted by respondents. In that view of the matter, sufficient cause is made out to condone the delay. Hence, following order :

ORDER

- (i) The application is allowed.
- (ii) Delay of 604 days caused in filing the appeal is condoned.
- (iii) Appeal be registered subject to removal of office objections.
- (iv) On registration of Appeal, issue notice to respondents, returnable after twelve weeks. Mr. Prasanna S. Chavan, learned Advocate waives notice for respondents/original claimants. Learned AGP waives notice for respondent nos.3 and 4.
- (v) Call for record and proceeding.

CA for Stay :-

- 4. Heard learned advocates appearing for the respective parties.
- 5. Issue notice to the respondents, returnable after twelve weeks. Mr. Prasanna S. Chavan, learned Advocate waives notice for respondents/original claimants. Learned AGP waives notice for respondent nos.3 and 4.
- 6. Till then, there shall be ad-interim stay to the judgment and award under appeal subject to condition that applicant deposits entire awarded amount with the Registry of this Court, by the returnable date.

(S.G. CHAPALGAONKAR, J.)