



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

**CIVIL APPLICATION NO. 9527 OF 2011
IN FAST/13933/2011**

The State Of Mah Thr. Collector Osmanabad And Anr

VERSUS

Jalindar Namdeo Mali

...

Mr. S. S. Dande, AGP for Applicant

...

WITH

**CIVIL APPLICATION NO. 9528 OF 2011
IN FAST/13933/2011**

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CORAM : SHAILESH P. BRAHME, J.

DATED : 07TH MAY, 2025

PER COURT :-

CIVIL APPLICATION NO. 9527 OF 2011

. Heard Mr. S. S. Dande, learned AGP for the applicant.
None appears for the respondent-claimant, though, initially
matter was kept back.

2. This application is for condonation of delay of 1262
days in filing First Appeal challenging judgment and award
passed by the Reference Court. My attention is adverted to
the paragraph No.2 to 4 to make out case that, it is desirable
to condone the delay. Above submissions have not been

contradictory. There is no reason to infer any malafides. I am inclined to allow the present application.

3. Civil Application is allowed in terms of prayer clause (B).

FIRST APPEAL ST. NO.13933 OF 2011

. Admit.

2. Call Record and Proceeding from concern Reference Court.

3. I have already passed separate order in Civil Application for stay that respondent/claimant is entitled to receive 50% of the amount, if deposited by the appellant, on furnishing an undertaking.

CIVIL APPLICATION NO. 9528 OF 2011

. This application is for stay to operation and execution of judgment and award passed by the Reference Court in L.A.R. No.372 of 1997. Acquiring Body has preferred First Appeal, which is admitted. It is desirable to grant stay on condition of depositing awarded amount within time.

2. Civil Application is allowed in terms of prayer clause (B) on condition that applicant shall deposit awarded amount with accrued interest within period of 12 weeks.

3. On depositing the amount, 50% of the same shall be disbursed to the respondent/claimant on furnishing an undertaking.

(SHAILESH P. BRAHME, J.)

Rushikesh/2025