



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 8871 OF 2018
IN FAST/13959/2018

Ex. Engineer, Nimna Dudhana Project Div. Selu Thr Jalna Irrigation Div.
Jalna

VERSUS

The State Of Maharashtra And Ors

WITH

CIVIL APPLICATION NO. 8873 OF 2018
IN FAST/13955/2018

Ex. Engineer, Nimna Dudhana Project Div. Selu
Thr Jalna Irrigation Div. Jalna

VERSUS

The State Of Maharashtra And Ors

...

Mr. Solshe Vinesh C, Advocate for Applicant

Mr. N. R. Dayma, AGP for Respondents State

Mr. K. M. More, Advocate for Respondent No.3 claimants

CORAM : Y. G. KHOBRAGADE, J.

DATE : 29th September, 2025

ORDER:

1. Heard Mr. Vinesh Solshe, the learned counsel for the applicant, Mr. Dayma, the learned AGP for the Respondents-State and Mr. K. M. More, the learned counsel for Respondent no.3 claimants.

2. By the present applications, the applicant- Acquiring Body prays for condonation of delay of 358 days caused while lodging the appeals challenging the judgment and award dated 09.02.2017, passed by the learned Reference Court.

3. Learned counsel appearing for the applicant submits that due to administrative procedural aspect, the appeals could not be presented within stipulated period and the delay caused is bonafide.

4. On the other hand, the learned counsel for the non applicants/claimants strongly opposed applications and contended that the grounds stated in the applications are not bonafide and justified.

5. It is well settled principle of law that the litigants should not be deprived from receiving substantial justice on technical ground of delay. In the case in hand, the applicant Acquiring body has stated that learned Reference Court enhanced the compensation without considering the evidence available on record and the delay in lodging appeals is caused due to administrative exigencies. The grounds set out in the applications for condonation of delay appear to be justifiable and bonafide.

6. In view of the above, the civil applications are allowed. The delay of 358 days caused in filing the appeals is hereby condoned.

7. Office to register the appeals and place before this Court for consideration on 13.10.2025.

(Y. G. KHOBRAGADE, J.)