



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

**CIVIL APPLICATION NO. 9173 OF 2023
IN FAST/13491/2023**

The Ex. Engineer, Minor Irrigation Div. Osmanabad Thr
Gmidc, Aurangabad

VERSUS

The State Of Maharashtra And Others

WITH

**CIVIL APPLICATION NO. 9174 OF 2023
IN FAST/13491/2023**

The Ex. Engineer, Minor Irrigation Div. Osmanabad Thr
Gmidc, Aurangabad

VERSUS

The State Of Maharashtra And Others

WITH

**CIVIL APPLICATION NO. 9175 OF 2023
IN FAST/13494/2023**

The Ex. Engineer, Minor Irrigation Div. Osmanabad Thr
Gmidc, Aurangabad

VERSUS

The State Of Maharashtra And Others

WITH

**CIVIL APPLICATION NO. 9176 OF 2023
IN FAST/13494/2023**

The Ex. Engineer, Minor Irrigation Div. Osmanabad Thr
Gmidc, Aurangabad

VERSUS

The State Of Maharashtra And Others

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Mr. G. N. Patil, Mr. R. B. Deshpande, Advocate for Applicants
Mr. M. S. Patil, Advocate for Respondent Nos. 3 and 4

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CORAM : ROHIT W. JOSHI, J.

Dated : 28TH FEBRUARY, 2025

PER COURT :-

CIVIL APPLICATION NO. 9173 OF 2023

CIVIL APPLICATION NO. 9175 OF 2023

. These applications are filed by the acquiring body seeking condonation of delay in filing First Appeals under Section 54 of the Land Acquisition Act, 1894. Both the Appeals arise out of Land Acquisition Reference Cases which relate to the same Section-4 notification and award passed by the Land Acquisition Officer. The applications are therefore being considered together.

2. There is a delay of 2836 and 2748 days respectively in filing applications for condonation of delay. The delay is attributed to procedural aspects in obtaining sanctions and other formalities in filing Appeal and also on account of difficulty in obtaining Court Fees. The land owners have not filed replies opposing the applications.

3. In view of the reasons mentioned in the applications, although the applications are strongly opposed by the land

owners, in my considered opinion, since public money is involved, the delay deserves to be condoned in the interest of justice.

4. Needless to mention that the entire amount along with accrued interest is deposited by the appellant acquiring body with this Court and as such this takes care of the equities to be balanced in the matter.

5. The applications are allowed. Delay is condoned.

CIVIL APPLICATION NO. 9174 OF 2023

CIVIL APPLICATION NO. 9176 OF 2023

1. In view of the fact that as per order dated 27.07.2023 passed in the present applications entire amount along with accrued interest is deposited, I am inclined to grant stay to execution of the impugned judgment and award till final disposal of the Appeal, subject to right of respondents / landowners to seek withdrawal of the amount.

2. Civil Applications are **disposed of**.

(ROHIT W. JOSHI, J)