



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

912 CIVIL APPLICATION NO. 5626 OF 2023 IN FAST/13681/2023

The Executive Engineer, Minor Irrigation Division, Osmanabad And Ors

Versus

Prakash Vishwanath Mohite

...

Mr. Sunil Prabhudeo Sonpawale, Advocate for Applicant

Mr. S. S. Dande, AGP for Respondents/State.

Mr. Rakhunde Pravin B., Respondent sole.

...

WITH

CIVIL APPLICATION NO. 5628 OF 2023 IN FAST/13686/2023

The Executive Engineer, Minor Irrigation Division, Osmanabad And Ors

Versus

Babruwan Dattu Mohite

...

WITH

CIVIL APPLICATION NO. 5630 OF 2023 IN FAST/13691/2023

The Executive Engineer, Minor Irrigation Division, Osmanabad And Ors

Versus

Gunwant Laxman Mohite

...

WITH

CIVIL APPLICATION NO. 5632 OF 2023 IN FAST/13696/2023

The Executive Engineer, Minor Irrigation Division, Osmanabad And Ors

Versus

Laxman Dattu Mohite

...

CORAM : ROHIT W. JOSHI, J.

DATE : 19th MARCH, 2025

P.C.:

1. CIVIL APPLICATION NO. 5626 OF 2023

2. CIVIL APPLICATION NO. 5630 OF 2023

3. CIVIL APPLICATION NO. 5632 OF 2023

4. CIVIL APPLICATION NO. 5628 OF 2023

1. There is a delay of around 3400 days in filing First Appeals in these four matters. The delay is explained by pointing out that there was some discrepancy in the land acquisition cases mentioned in the judgements and decrees. Apart from this, it is contended that administrative procedures also consumed much time as a consequence of which the appeal could not be filed within the prescribed period of limitation.

2. The delay in filing Appeals is 2423 days in three appeals and 2417 days in one appeal. The delay is inordinate, however, having regard to the facts that the matter pertains to Land Acquisition Act and public money is at stake, I am inclined to condone the delay, however subject to payment of cost of Rs.5,000/- in each appeal.

3. Civil Applications are allowed subject to payment of cost of Rs.5000 in each appeal with the Registry i.e. the Committee consisting of learned Registrar (Administration) of the High Court, Bench at Aurangabad and the Medical Officer of the High Court Medical Dispensary, Aurangabad, within a period of two weeks from today.

1. FIRST APPEAL (ST.) NO. 13681 OF 2023

2. FIRST APPEAL (ST.) NO. 13691 OF 2023

3. FIRST APPEAL (ST.) NO. 13696 OF 2023

4. FIRST APPEAL (ST.) NO. 13686 OF 2023

4. Heard.

5. **Admit.** Call Record and Proceeding.

6. Issue notice to the respondents. Learned AGP waives for respondent Nos.1 and 2. Mr. Pravin Rakhunde waives notice for respondent-land owner.

[ROHIT W. JOSHI J.]