



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

**CIVIL APPLICATION NO. 9561 OF 2019
IN FAST/15746/2019**

**THE G.M.I.D.C, THR. EXE. ENGINEER, MINOR IRRIGATION
DIVISION, OSMANABAD AND ORS.**

VERSUS

VASANT S/O EKNATH GUND

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Advocate for Applicant no.1 : Mr.R.B. Gaikwad

AGP for Applicant nos.1 & 2 : Mr.N.D.Batule

Advocate for Respondent :Ms.Laxmi Thakur h/f. Mr.Laxmikant C.Patil

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 15 JULY, 2025

PER COURT :-

1. Heard learned counsel for the applicant acquiring body and the learned counsel for the respondent - claimant.
2. Present application is for condonation of delay of 2038 days caused in filing the appeal against judgment and order of the Reference Court passed in the land acquisition reference.
3. The learned counsel for applicant acquiring body submits that they had to meet various authorities for obtaining sanction for court fees and therefore, delay is caused for administrative reason. That, the Reference Court has granted exorbitant compensation. That, the

applicant has a good case in appeal on merits. For this reason, learned counsel urges for condonation of delay.

Learned counsel also seeks reliance on the judgment of Hon'ble Supreme Court in the case of ***Suresh Kumar v. State of Haryana and Ors.*** dated 23-04-2025 passed in Civil Appeal arising out of SLP (C) No.670 of 2020 with connected matter. She invited attention of this Court to observations of the Hon'ble Supreme Court in paragraph nos. 8 and 9.

4. Learned counsel for respondent claimant opposes the application.

5. I have gone through the contents of the application. For the reasons mentioned in the application, application deserves to be allowed. Accordingly, application is allowed. Delay stands condoned.

6. Appeal be registered. On registration of appeal, issue notice to the respondent, returnable within four weeks thereafter. Mrs.Laxmi Thakur, learned counsel waives service of notice for respondent-claimant.

(ABHAY S. WAGHWASE)
JUDGE