

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

941 CIVIL APPLICATION NO. 7233 OF 2022
IN FAST/18218/2020

Digamber Radkhakisan Khalekar

VERSUS

The Ex. Engineer, Minor Irrigation Div. Jalna And Ors

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Mr. Vilas M. Humbe - Advocate for Applicant

Mr. S. G. Bhalerao – Advocate for Respondent No. 1 through VC

Mr. Rajdeep D. Raut – AGP for Respondent/State

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CORAM : NEERAJ P. DHOTE, J.

DATED : 13TH MARCH 2025

PER COURT : -

1. This is an Application for condonation of 264 days delay caused in preferring the First Appeal challenging the Judgment and Award passed by the Reference Court. It is submitted by the learned Advocate for the Applicant that sufficient reasons are shown for not approaching this court within the stipulated time and application be allowed. He submits that the Applicants are ready to give undertaking that they shall not be entitled for the interest and the statutory benefit under the Act.

2. The Application is opposed by the learned Advocate for Respondent No. 1 and learned AGP for Respondent Nos. 2 and 3. No sufficient reasons are shown in the Application and the Application be dismissed.

3. The Applicant has given sufficient reasons in paragraph no.6 of the Application. Hence, for the reasons cited in the Application, the Application is allowed in terms of prayer clause 'B', subject to the condition that the Applicants/Appellants shall not be entitled for the statutory benefits and the interest for the delayed period.

[NEERAJ P DHOTE]
JUDGE