



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

945 CIVIL APPLICATION NO. 7523 OF 2025
IN FA/1938/2025

THE EXECUTIVE ENGINEER, IRRIGATION PROJECT, STRENGTHENING
DIVISION, TULJAPUR

VERSUS

PRAKASH EKNATH KOKATE AND ORS

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Advocate for Applicant : Mr. Malte Uday Shrikant
Advocate for Respondent no. 1 : Mr. P.B. Rakhunde
A.G.P. for Respondent/State : Mr. D.B. Bhange

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CORAM : SHAILESH P. BRAHME, J.
DATE : 05.08.2025

PER COURT :

The applicant is praying for waiving the costs of Rs. 10,000/- imposed by this Court while condoning the delay. A common order dated 26.06.2025 passed in Civil Application No. 10771/2024 in First Appeal (Stamp) No. 27168/2024 and other connected matters is pressed into service to make out a case that on the ground of parity, imposition of costs is uncalled for. It is further contended that the applicant-Acquiring Body has deposited entire amount in pursuance of the order of this Court.

2. The learned counsel for the respondents have no serious objection. In connected matters, which are similarly situated and those were in respect of delay of same length, this Court did not impose any costs. To have consistency in the orders passed by the Court, I am inclined to accept the submissions of the learned counsel for the applicant.

3. The Civil Application is allowed and the costs imposed by the earlier order dated 24.06.2025 shall stand waived.

(SHAILESH P. BRAHME, J.)

mkd/-