



IN THE JUDICATURE OF HIGH COURT AT BOMBAY  
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO. 8038 OF 2022  
IN FAST/22733/2021  
WITH  
CIVIL APPLICATION NO. 8039 OF 2022  
IN FAST/22733/2021

M.K.V.D.C., THR EX. ENGINEER, IRRIGATION PROJECT  
STRENGTHENING DIV. OMERGA  
VERSUS  
LAXIMIBAI RAMDAS BOBADE AND OTHERS

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Advocate for Applicant : Mr. Avishkar S. Shelke  
Advocate for Respondent No.1 : Mr. Laxmikant C. Patil  
AGP for Respondent Nos. 2 and 3 - State : Mrs. D. S. Jape

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 17 JUNE, 2025

PER COURT :-

CIVIL APPLICATION NO. 8038 OF 2022 :

1. Present application is for condonation of delay of 1385 days caused in filing appeal against judgment and award passed by the 3<sup>rd</sup> Joint Civil Judge, Senior Division, Osmanabad in L.A.R. No.360 of 2012.

2. Heard. For the reasons in mentioned in civil application, more particularly, in paragraph nos.5 and 6 and in the interest of justice and fair opportunity, delay caused is required to be condoned. Delay stands condoned. Appeal be duly registered.

3. In First Appeal, issue notice to the respondents, returnable

within eight weeks. Learned counsel Mr. Laxmikant C. Patil waives service of notice on behalf of respondent No.1 and Learned APP waives service of notice on behalf of respondent Nos.2 and 3.

**CIVIL APPLICATION NO. 8039 OF 2022 :**

4. Learned counsel for Applicant also urges for grant of stay in the backdrop of Civil Application No. 8039 of 2022 which is an offshoot of same in appeal i.e. grant of interim stay to the effect and operation of the impugned judgment and order against which appeal has been preferred. Learned counsel undertakes to deposit 25% of the amount and urges interim relief as well as seeks eight weeks time to deposit the amount.

5. Learned counsel for respondents also insisted for depositing amount prior to enjoying any interim relief. Resultantly, time of eight weeks as sought is granted to deposit 25% of the award passed by the 3<sup>rd</sup> Joint Civil Judge, Senior Division, Osmanabad in L.A.R. No.360 of 2012.

6. Subject to depositing the above amount, interim relief shall remain in force. On failure to deposit above amount, above granted interim relief would stand automatically vacated.

**( ABHAY S. WAGHWASE, J. )**