



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

**905 CIVIL APPLICATION NO. 2695 OF 2021
IN FAST/24881/2020**

THE EX. ENGINEER, MEDIUM PROJECT DIV. LATUR AND ORS

VERSUS

SHAHAJI GOPAL MALI

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WITH CIVIL APPLICATION NO. 2697 OF 2021 IN FAST/25080/2020

WITH CIVIL APPLICATION NO. 2699 OF 2021 IN FAST/25089/2020

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Advocate for Applicant no.1 – Acquiring Body : Mr. S.C. Arora

AGP for Applicant nos.2 & 3 – State : Mr.S.M.Ganachari

Advocate for Respondents – Claimants in CA/2697/2021 &

CA/2699/2021 : Mr.S.Y.Patil

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 12 JUNE, 2025

PER COURT :-

1. Instant applications are raised for condonation of delay of 2310 days caused in filing first appeals against common judgment and order dated 08-08-2013 passed by the Reference Court in Land Acquisition References (LARs).

2. Learned counsel for the applicant pointed out that original claimants had preferred Land Acquisition References on account of acquisition of their land by applicant Acquiring Body. The references were decided by common judgment dated 08-08-2013. Present

applicant is dissatisfied by the same and intends to file first appeals before this Court, however, in doing so, there has been delay of 2310 days. That, due to some official process like obtaining permission from superior authority and availability of funds, delay is caused in filing appeals. That, delay is not deliberate or intentional and is rather due to administrative reason. In view of above, learned counsel prays for condonation of delay.

3. Learned counsel for respective respondents – original claimants strongly opposed applications on the ground that there is no plausible explanation for the huge delay. That, delay is not satisfactorily explained. That, no cogent reasons are assigned so as to condone the delay. Moreover, they pointed out that applicant had knowledge about the impugned judgment, but they were not diligent in filing appeals within statutory period of limitation. Therefore, for all above reasons, applications are opposed.

4. After considering the submissions of both the sides, and for the reasons stated in the applications, and to give a fair opportunity to applicant to contest the matters, delay is required to be condoned. Accordingly, applications stand allowed in terms of prayer clause (B).

Delay caused in filing appeals against the impugned judgment and award is hereby condoned. Registry to take requisite steps for registration of appeals. Civil Applications stand disposed of accordingly.

5. On registration of appeals, issue notice of admission of appeals to the respondents. Mr.Patil, learned counsel waives service of notice for respondents-claimants in respective matters.

6. Call Record and Proceedings.

7. After compliance of procedural formalities, list the appeals for further process in due course.

(ABHAY S. WAGHWASE)
JUDGE

SPT