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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

938 CIVIL APPLICATION NO. 335 OF 2020 IN FAST/30366/2018
WITH
CIVIL APPLICATION NO. 337 OF 2020 IN FAST/30355/2018
WITH CIVIL APPLICATION NO. 339 OF 2020 IN FAST/30242/2018
WITH CIVIL APPLICATION NO. 341 OF 2020 IN FAST/30348/2018
WITH CIVIL APPLICATION NO. 343 OF 2020 IN FAST/30340/2018

THE EXECUTIVE ENGINEER, PATBANDHARE MAJBUTIKARAN
DIVISION OMERGA, DISTRICT OSMANABAD AND ORS.

VERSUS

DUSHYANT S/O. SHANKARRAO JADHAV

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Advocate for Applicant - Acquiring Body : Mr.M.S.Kulkarni and
Mr.S.G.Bhalerao in respective matters

AGP for Applicants -State : Mr.S.M.Ganachari

Advocate for Respondents - claimants – : Ms.Mrunal Andhare h/f.
Mr. Ajeet B. Kale

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 09 JULY, 2025

PER COURT :-

1. Heard learned counsel for the applicants and the learned counsel for the respondents.
2. Present applications are for condonation of delay of 1313 days caused in filing the appeals against judgment and order of the Reference Court passed in the land acquisition references.

3. The learned counsel for applicant acquiring body submit that they had to meet various authorities for obtaining sanction for court fees and therefore, delay is caused for administrative reason. It is further submitted that in similar matters arising out of same acquisition proceedings, this Court had previously condoned the delay. Therefore, both learned counsel urge for condonation of delay.

Learned counsel also seek 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. He invited attention of this Court to observations of the Hon'ble Supreme Court in paragraph nos. 8 and 9.

4. Learned counsel for respondents claimants opposes the applications.

5. I have gone through the contents of the applications. For the reasons mentioned in the applications, applications deserve to be allowed. Accordingly, applications are allowed. Delay stands condoned.

6. Appeals be registered. On registration of appeals, issue notice to the respondents, returnable within four weeks thereafter. Ms.Mrunal Andhare, learned counsel holding for Mr.Kale, learned counsel waives service of notice for respondents-claimants.

(ABHAY S. WAGHWASE)
JUDGE

SPT