



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

**CIVIL APPLICATION NO. 18299 OF 2010
IN FAST/35274/2010**

**GMIDC AURANGABAD THROUGH EXECUTIVE ENGINEER LATUR
MINOR IRRIGATION DIVN LATUR**

VERSUS

DADARAO BHIMRAO PATIL AND ORS

....

Mr. Mukul S. Kulkarni, Advocate for the Applicant
Mr. S. J. Sonkawade, Advocate for Respondent Nos. 1 to 14
Mr. K. K. Naik, AGP for Respondent Nos. 16 and 17

....

**AND WITH
CIVIL APPLICATION NO. 18297 OF 2010
IN FAST/35239/2010**

**GODAWARI MARATHWADA IRRIGATION DEVELOPMENT
CORPORATION AURANGABAD**

VERSUS

IBRAHIM PHALJUDDIN SHAIKH AND ORS

....

Mr. Mukul S. Kulkarni, Advocate for the Applicant
Mr. S.J. Sonkawade, Advocate for Respondent Nos. 1, 3 to 10, 12
to 25
Mr. K. K. Naik, AGP for Respondent Nos. 26 and 27

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CORAM : Y. G. KHOBRAGADE, J.

DATE : 07.03.2025

PER COURT :-

1. Heard the learned counsel for the Applicant and the
learned counsel for the non-applicants.

2. By the present Applications, the Applicant Acquiring Body prayed for condonation of delay of 829 days caused while lodging the Appeal against the judgment and award dated 17.04.2008, passed by the learned Reference Court i.e. Civil Judge Senior Division, Nilanga in L.A.R. No.520 of 2002. It is contended on behalf of the Acquiring Body, that the certified copy of the award was received on 03.06.2008, however, for want of legal advise, the delay of 829 days caused, which is *bona-fide* and substantial.

3. The learned counsel for the non-applicants / claimants have not seriously objected for condonation of delay.

4. Considering the nature of dispute as well as the reasons assigned by the Acquiring Body for condonation of delay, I am satisfied that the Acquiring Body has explained the delay properly, which is substantial and *bona-fide*. However, at the same time, the non-applicants / claimants are delayed to receive the fruits of the award. Therefore, the delay caused in filing the Appeal is hereby condoned, subject to payment of cost of Rs.500/- each, to be paid in the account of 'Creche / Day Care Centre, Advocates' Association of

Bombay High Court, Bench at Aurangabad. The cost amount shall be deposited on or before 21.03.2025.

5. After the cost is deposited, office to register the First Appeals and place the same on 25.04.2025.

6. The Civil Applications are accordingly disposed of.

[Y. G. KHOBRAGADE, J.]

SMS