



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

**954 CIVIL APPLICATION NO. 827 OF 2025
IN FAST/2167/2025**

**THE EXECUTIVE ENGINEER, IRRIGATION DEPARTMENT
OSMANABAD THROUGH MINOR IRRIGATION**

VERSUS

**SUNDER NAMDEO MOLAWANE DIED THR LRS VIJAYA
SUNDAR MOLAWANE AND ORS**

**WITH CIVIL APPLICATION NO. 830 OF 2025 IN
FAST/2164/2025 WITH CIVIL APPLICATION NO. 828 OF 2025
IN FAST/2167/2025 WITH CIVIL APPLICATION NO. 831 OF
2025 IN FAST/2170/2025 WITH CIVIL APPLICATION NO. 832
OF 2025 IN FAST/2170/2025**

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Advocate for Applicant in all : Ms. Vaishali S. Swami h/f Mr.
Swami Mahesh.

AGP for Respondent/s-State : Mr. D. B. Bhange.

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**CORAM : SHAILESH P. BRAHME, J.
DATE : 25.06.2025**

PER COURT :-

1. Heard both the sides.
2. These applications are for condonation of delay of more than 300 days.
3. Learned counsel for the applicant submits that for the reasons stated in paragraph Nos.2 to 4, it is desirable to condone the delay. Applicant undertakes to deposit the amount

under award within further period of six (6) weeks from today.
The delay is not intentional.

4. Learned AGP would oppose the submissions.

5. Considering the norms stated in the applications, I am of the considered view that it is desirable to condone the delay.

6. Civil applications of condonation of delay are allowed in terms of prayer clause “B” on condition that applicant shall deposit the amount under award within extended period of six (6) weeks from today.

In First Appeals

7. **Admit.**

8. Learned AGP waives service of notice for respondents/State.

9. Call for Record and Proceedings from the concerned Court.

10. Learned counsel for the appellant has prayed time for depositing the amount under award. Appellant shall deposit the amount under award within a period of six (6) weeks from today. On depositing the amount, 50% of the same shall be

permitted to disburse to the respondent/claimant on furnishing undertaking and 25% on furnishing solvent surety/security to the satisfaction of the Registrar (Judicial). Balance amount shall be invested in any Nationalized Bank.

In Civil Applications for Stay

11. Learned counsel for the applicant prays time for depositing the amount. Time of six (6) weeks is granted to deposit the amount.

12. Ad-interim stay granted earlier shall continue till then.

13. If the amount is not deposited, the relief granted earlier shall stand vacated automatically without reference to the Court.

(SHAILESH P. BRAHME, J.)

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vmk/-