



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

117 CIVIL APPLICATION NO. 2450 OF 2025
IN FAST/4302/2025

THE EXECUTIVE ENGINEER LIFT IRRIGATION DIVISION
THROUGH MINOR IRRIGATION DIVISION OSMANABAD AND
ORS

VERSUS

VASANT NARAYAN GORE

WITH CIVIL APPLICATION NO. 2451 OF 2025
IN FAST/4305/2025

WITH CIVIL APPLICATION NO. 2442 OF 2025
IN FAST/4302/2025

WITH CIVIL APPLICATION NO. 2452 OF 2025
IN FAST/4305/2025

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Advocate for Applicants : Mr. Ruturaj Chandrashekar Patil.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 09.06.2025

PER COURT :-

1. Heard learned counsel Mr. Patil for the applicants. None appears for respondents though duly served.
2. These applications are for condonation of delay of 3125 days in preferring first appeals challenging judgment and award dated 12.04.2016.
3. It is submitted by the learned counsel for the applicants that paragraph Nos.2 and 3 of the applications contain good grounds to condone the delay. It is submitted that applicants

have challenged the award to the limited extent and not in its entirety. He would advert my attention to the operative part Clause Nos.III and IV of the common impugned award. It is submitted that condonation of delay has repercussions on the public money. Additionally, it is submitted that though applicants have not deposited the amount of award and are praying for extension of time, after depositing the amount, 75% of the same could be disbursed to the respondent/claimant. There is no reason to discard the grounds stated in paragraph Nos.2 and 3 of the applications. I find substance in the submission of learned counsel for the applicants. Appeals appears to be preferred to the limited extent. It is desirable to condone the delay and hear appeals on merits because those are having repercussions on the public exchequer.

4. For the reasons stated above, civil applications for delay are allowed in terms of prayer clause "A".

5. Office shall register first appeals.

In First Appeal

6. **Admit.**

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

In Civil Applications for Stay.

8. At the request of the learned counsel for the applicants, time of six (6) weeks is granted to deposit the amount under award.

9. Ad-interim relief granted earlier shall operate till six (6) weeks from today. In case, the appellants/applicants fail to deposit the amount, the same shall stand vacated automatically without reference to the Court. On depositing the amount, respondent/claimant is at liberty to disburse 75% of the amount on furnishing usual undertaking to the satisfaction of the Registrar (Judicial).

(SHAILESH P. BRAHME, J.)

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vmk/-