



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

120 CIVIL APPLICATION NO. 2793 OF 2025
IN FAST/7493/2025

EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION
VERSUS
SK JABBAR SK JAMIL AHEMAD AND ANR

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Advocate for Applicant : Mr. Shrish G Sangle.
AGP for Respondent/s-State : Mr. D. B. Bhange.
Advocate for Respondent No.1 : Mr. N. J. Pahune Patil.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 09.06.2025

PER COURT :-

1. Heard both the sides.
2. Applicant is praying for condonation of delay of 943 days in preferring first appeal challenging the judgment and award dated 06.05.2022.
3. Learned counsel Mr. Sangle appearing for applicant submits that there are good grounds to condone the delay in terms of paragraph Nos.2 to 5. The delay is not deliberate and deciding the appeal on merits has repercussions on the public exchequer.

4. Learned counsel for the respondent/claimant would oppose the submissions and prays for rejection of the application.

5. I do not find any difficulty in accepting submissions of the learned counsel for the applicant. The contents of the applications are good grounds to condone the delay. Equity can be balanced by permitting the respondent/claimant to withdraw the amount in case the same is deposited by extending the time.

6. Civil application is allowed in terms of prayer clause "B".

7. Office shall register first appeal.

(SHAILESH P. BRAHME, J.)

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vmk/-