IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 771 OF 2021
IN FAST/14836/2020

(The Executive Engineer, Minor Irrigation Division (UTP) Jalgaon
vs.
Madhav Ramkrushna Patil and ors.

AND

CIVIL APPLICATION NO. 772 OF 2021
IN FAST/14836/2020

AND

CIVIL APPLICATION NO. 773 OF 2021
IN FAST/14830/2020

AND

CIVIL APPLICATION NO. 774 OF 2021
IN FAST/14830/2020

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Mr.Bhaktraj L. Patil, Advocate h/f. Mr.A.D.Pawar, Advocate for applicant – acquiring body
Mr.Vinod Patil, Advocate for respondents – claimants
Mr.A.V.Lavte, AGP for State

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CORAM : AJIT B. KADETHANKAR, J.
DATE : OCTOBER 29, 2026

PER COURT :-

In C.A. No.771 of 2021 IN FAST/14836/2020 AND
C.A. No.773 of 2021 IN FAST/14830/2020 :

Feeling aggrieved by the judgment and award dated 31.10.2018 passed by learned Joint Civil Judge Senior Division, Jalgaon in the respecive Land Acquisition References, the acquiring body has

filed appeals. The appeals are delayed by 411 days. Hence, present applications are filed for condonation of delay.

2. The reasons for delay are stated in paragraphs 2 to 6 of the applications. It is submitted that on account of the administrative exigency and particularly for want of approval and funds for filing the appeals, the appeals could not be filed well within time. It is submitted that delay caused is not deliberate or out of lethargy.

3. Considering the contentions raised in the applications and arguments advanced, I find that the applicant – acquiring body has made out a case within the parametres laid down by Hon'ble Supreme Court in **Sheo Raj Singh (Deceased through LRs.) & Ors. V/s Union of India and ors. [Civil Appeal No.5867 of 2015 dtd.09-10-2023]**. In view thereof, the applications stand allowed. Delay condoned. Appeals be registered.

In F.A. (Stamp) Nos.14836 of 2020 and 14830 of 2020:-

4. Issue notice to respondents. Mr.Bhokarikar learned advocate waives notice for respondent no.1 and learned AGP waives notice for respondent no.2. Call Record and Proceedings.

In C.A. No.772 of 2021 in F.A. (St) No.14836 of 2020 AND
In C.A. No.774 of 2021 in F.A. (St) No.14830 of 2020:-

5. Feeling aggrieved by the judgment and award dated 31.10.2018 passed by learned Joint Civil Judge Senior Division, Jalgaon, the applicant - acquiring body has filed appeals. These applications are filed for grant of stay.

6. Learned advocate for the applicants – acquiring body submis that the applicant/appellant has good grounds on merit.

7. For the reasons stated in the applications, the interim relief granted earlier is made absolute subject to the condition that the applicants deposits the entire payable award amount together with interest and costs in this court whtin a period of twelve weeks from today.

8. Needless to mention, interest part would be covered by the ratio laid down by the Full Bench of this Court in the case of **State of Maharashtra Vs. Kailash Shiva Rangari, 2016(3) Mh.L.J. 457**.

[AJIT B. KADETHANKAR, J.]

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