

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

**CIVIL APPLICATION NO.3657 OF 2012
IN
FIRST APPEAL (ST) NO. 6777 OF 2012**

The State of Maharashtra,
through the Collector, Latur

...Applicant

versus

Narsing s/o Mohan Kawale,
Age: 40 years, Occ: Agri.,
R/o. Chincholi (Ballalnath),
Tq. & Dist. Latur & anr

...Respondents

WITH

**CIVIL APPLICATION NO.3660 OF 2012
IN
FIRST APPEAL (ST) NO. 6780 OF 2012
WITH
CIVIL APPLICATION NO.3662 OF 2012
IN
FIRST APPEAL (ST) NO. 6754 OF 2012**

.....
Mr. P.P. More, A.G.P. for applicant
Mr. A.B. Kale, Advocate for respondents-claimants
.....

CORAM : N.W. SAMBRE, J.

DATE : 6th JULY, 2015

ORAL ORDER :

These are the applications seeking condonation of 1442 days delay in preferring the appeals against the award delivered by the Reference Court granting enhancement of compensation.

2. The enhancement is granted at double amount as was granted by the Land Acquisition Officer.

3. Learned A.G.P., while canvassing the cause for condonation of delay, would urge that even though Reference Court delivered the award in December, 2007, proposal was received and scrutinized by the Law and Judiciary Department on 03/10/2009 and certain time was consumed in securing the documents so as to file appeals.

4. From the record, it appears that there is delay of about 3-1/2 years.

5. The delay is sought to be condoned on administrative grounds.

6. Perusal of the reasons, in my opinion, does not reflect any genuine cause so as to call for any interference.

7. In addition to above, with the assistance of learned Counsel for the appellants, I have gone through the award delivered by the Reference Court, Reference Court has taken into account the sale deeds at Exhibits-21 to 23, which pertains to dry crop land. In

the cases in hand, the land acquired appears to be irrigated. In my opinion, enhancement granted by the Reference Court is in tune to the evidence on record. The said enhancement cannot be termed as in excess.

8. The civil applications for condonation of delay and the appeals stand dismissed.

9. Consequently, pending civil applications for stay stand disposed of.

[N.W. SAMBRE, J.]