

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 14117 OF 2015
IN RAST/30576/2015

LIMBARAO YASHWANTRAO MASKE DIED THR LRS BHAGURAO AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicants : Mr. S.K. Adkine.
Addl. G.P. for Respondent No.1 : Mr. S. B. Yawalkar.

CORAM : A.M. BADAR, J.
DATE : 11th DECEMBER, 2015.

PER COURT:

1] This is an application for condonation of delay in filing application for review of judgment and order dated 1.9.2004 passed by this Court in FA No. 385 of 1993.

2] Heard learned counsel for the applicants as well as learned AGP for non applicants. Perused the judgment and order passed by this Court on 1.9.2004.

3] Learned counsel for the applicant submitted that for the same village, some of the claimants are awarded compensation of Rs. 9,000/- per acre whereas the applicants are awarded compensation of Rs. 6,000/- per acre. In order to maintain the parity in compensation as per the judgment of the Honourable Supreme Court, review petition is filed and as there is delay, same is accompanied with the application for condonation of delay.

4] Perusal of the civil application shows that only reasons stated

for seeking condonation is economic problem and old age of the applicants. Delay in filing review petition is more than 11 years. Review cannot be an appeal in disguise. The delay so occasioned is not at all sufficiently explained. Hence, no sufficient cause is shown to condone the delay. The application is rejected.

[A.M. BADAR, J]

grt/-