

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.4676 of 2016grdelay

**908 CIVIL APPLICATION NO. 4676 OF 2016
IN FAST/7306/2016**

WITH

CA/4678/2016 IN FAST/7356/2016

WITH

CA/4680/2016 IN FAST/7359/2016

WITH

CA/4682/2016 IN FAST/7344/2016

WITH

CA/4684/2016 IN FAST/7347/2016

WITH

CA/4688/2016 IN FAST/7353/2016

WITH

CA/4690/2016 IN FAST/7340/2016

THE STATE OF MAHARASHTRA AND ORS
VERSUS
PANDURANG MARTAND KSHISAGAR

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AGP for Applicant State:Mr.S.N.Morampalle
Mr.G.K.Sontakke, Advocate for respondents.

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CORAM : P.R. BORA, J.
Dated: September 21, 2016

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PER COURT :-

1. Issue notice to the respondents on the applications for condonation of delay. Learned Counsel Mr. Sontakke appears for all the respondents in all the aforesaid appeals who are original claimants in Land Acquisition References.

2. Delay of 1994 and 2116 days has occurred in

AGP/-

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filing the respective appeals by the acquiring body. Learned A.G.P. submitted that in securing sanction at different levels and thereafter in making procedural compliances and also procuring the amount for Court fees, etc. the time was consumed and that is the reason that the appeals could not be filed within the stipulated period of limitation. Learned A.G.P. submitted that serious mistakes are committed by the Reference Court while awarding amount of compensation. Learned A.G.P. has further submitted that the Reference Court has enhanced the amount of compensation by about six times than the one fixed by the Special Land Acquisition Officer and has also awarded rental compensation which could not have been awarded in the present proceedings. In the circumstances, according to learned A.G.P., the State needs to be given an opportunity to contest the appeals on merits. Learned A.G.P., therefore, prayed for condonation of delay.

3. Shri Sontakke, learned counsel appearing for the respondents, has conceded for condonation of delay. In view of the above, the delay is condoned. Civil Applications for condonation of delay stand disposed of.

4. Issue notice to the respondents in the appeals returnable after four weeks. Shri Sontakke, learned

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Counsel waives service for all the respondents in all the matters, who are original claimants in Land Acquisition References. Service complete.

5. Call for R & P. Place the appeals for admission on 19.10.2016. It is clarified that the appeals will be finally disposed of at admission stage.

(P.R. BORA, J.)

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