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C.A. No. 104 of 2011 &
R.A. Stamp No. 357 / 2010

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

Civil Application No. 104 of 2011
(In Review Application Stamp No. 35762 / 2010)
(In Writ Petition No. 3966 of 1997)

With
Review Application Stamp No. 35762 / 2010
(In Writ Petition No. 3966 of 1997)

Arjun s/o. Vyankoba Panchal,
deceased through L.Rs.,

Vishal s/o. Arjun Panchal,
Age : 57 years,
Occupation : Agriculture,
R/o. Harangul (Kh),
Taluka & District : Latur,
& others.

.. Applicants
(Original petitioners)

versus

The State of Maharashtra
& 2 others.

.. Non-applicants.

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Mr. K.S. Bhore, Advocate, for applicants.

*Mr. V.D. Rakh, Asst. Government Pleader, for
non-applicant nos.1 and 3.*

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**CORAM : S.V. GANGAPURWALA &
A.M. BADAR, JJ.**

DATE : 15TH JANUARY 2016

PER COURT :

1. Mr. Bhore, the learned Counsel for applicants, submits that in fact in the year 2011, he had returned the papers.
2. Review is filed by the original writ petitioners. There is delay of 119 days in filing the Review Application.
3. The Writ Petition was filed seeking directions against the respondent to declare the award. It is submitted that the acquisition proceedings were not under the Land Acquisition Act, 1894. As such, the respondent - State has relied upon judgment of the Hon'ble Apex Court in the case of State of Maharashtra Vs. Digambar, in Civil Appeal No. 6066 of 1995 (Arising out of S.L.P. (C) No. 10723 of 1995), delivered on 12th May 1995, wherein the Hon'ble Apex Court had reversed judgment of the High Court in respect of acquisition of the lands which had taken place in 1972. In the present case also, the land was taken in possession long back and on delay and laches the claim was rejected.
4. Hence, we do not find any error apparent on the face of record. The Civil Application for delay is disposed of. The Review Application stands rejected. No costs.

(A.M. BADAR)
JUDGE

(S.V. GANGAPURWALA)
JUDGE

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