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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 103 OF 2013
IN
REVIEW PETITION (St.) No. 17725 OF 2010
IN
FIRST APPEAL No. 705 OF 2009

Nivrutti R. Shinde & Ors.	... Applicants (Review Petitioners)
Vs.	
The State of Maharashtra	... Respondent

Mr. Rahul S. Kate, for the Applicants.

Mr. P. P. Kakade, AGP for the Respondent - State.

CORAM : V. M. KANADE, &
M. S. KARNIK, JJ.

DATE : APRIL 18, 2016

PC.

1. The delay of 705 days caused in filing the review petition is condoned for the reasons stated in the civil application. Civil Application No. 103 of 2013 is accordingly allowed and disposed of in terms of prayer clause (b).

2. The grievance of review-petitioners is that they are not

served with the civil applications filed by the State, and they have also not been served with copy of the appeal memos. We have perused the impugned common order dated 10th July, 2008 passed in both the first appeals. Perusal of said order indicates that appeals filed by the State of Maharashtra against the order passed in the land acquisition references, had in fact, been dismissed, and hence no prejudice is caused to the review-petitioners. The grievance of the review-petitioners is that they have not received adequate share in the compensation. Review-petitioners have an alternate remedy by filing an application under Section 30 of the Land Acquisition Act, 1894. Reserving this right of the review-petitioners, Review Petition (St.) No. 17725 of 2010 is disposed of.

Sd/-
[M. S. KARNIK, J.]

Sd/-
[V. M. KANADE, J.]

Vinayak Halemath