

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2522 OF 2015
IN
FIRST APPEAL STAMP NO.29705 OF 2014**

Hanumant Shivagonda Bhillur and another .. Applicants

Versus

**The Special Land Acquisition Officer No.9,
Sangli, Mahasul Bhavan, Miraj and others .. Respondents**

Mr. T. S. Ingale for the Applicants.

Mr. A. R. Patil AGP for the Respondents.

CORAM : R.M. SAVANT, J.

DATE : 20th JULY 2016

PC.

1 The above Civil Application has been filed for condonation of delay of 2 years and 124 days in filing the First Appeal. The reasons therefor are mentioned in paragraphs 6 and 7 of the Civil Application. The sum and substance of the case in paragraphs 6 and 7 is that when the reference filed by the brother of the Applicants in respect of the lands acquired for the same project and from the same village and covered by the same Award came to be allowed that the Applicants decided to challenge the judgment and order passed by the Reference Court dismissing the reference filed by them. In my view, since the Applicants

are the claimants from whom the lands have been acquired, it would be just and proper if the Applicants are given an opportunity to prosecute the above First Appeal to claim enhancement in compensation. The Learned AGP Mr. A. R. Patil opposes the application, but ultimately leaves to the discretion of this Court. In the facts and circumstances as mentioned above, case for condonation of delay of 2 years and 124 days in filing the above First Appeal is made out. The Civil Application is accordingly allowed. Resultantly, the delay of 2 years and 124 days in filing the above First Appeal stands condoned. The Civil Application is accordingly disposed of. List the above First Appeal for admission after two weeks.

[R.M. SAVANT, J]