

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 571 OF 2016  
IN  
FIRST APPEAL (ST.) NO. 36093 OF 2012

City and Industrial Development Corporation  
of Maharashtra Ltd. ... Applicant.  
V/s.  
Shri Mangal Mahadeo Patil and another. ... Respondents.

WITH  
CIVIL APPLICATION NO. 573 OF 2016  
IN  
FIRST APPEAL (ST.) NO. 36102 OF 2012

City and Industrial Development Corporation  
of Maharashtra Ltd. ... Applicant.  
V/s.  
Shri Madhukar Kala Patil and others. ... Respondents.

WITH  
CIVIL APPLICATION NO. 575 OF 2016  
IN  
FIRST APPEAL (ST.) NO. 36099 OF 2012

City and Industrial Development Corporation  
of Maharashtra Ltd. ... Applicant.  
V/s.  
Shri Ravindra Uddhav Patil and another. ... Respondents.

WITH  
CIVIL APPLICATION NO. 577 OF 2016  
IN  
FIRST APPEAL (ST.) NO. 36087 OF 2012

City and Industrial Development Corporation  
of Maharashtra Ltd. ... Applicant.  
V/s.  
Shri Balkrishna Narayan Patil and others. ... Respondents.

G.S.Hegde i/b. G.S.Hegde & Asso. for the applicant.  
M.G.Bagkar i/b. N.V.Bandiwadekar for the respondents.

**CORAM : A.S. OKA AND C.V.BHADANG, JJ**

**DATED : 29<sup>th</sup> February 2016.**

**PC. :**

Heard the learned counsel appearing for the applicant and the learned counsel appearing for the respondents. These are the applications filed by City and Industrial Development Corporation of Maharashtra Ltd. (for short "CIDCO"). The applicant is seeking to challenge the judgment and award passed in a Reference under section 18 of the Land Acquisition Act, 1894. The public purpose of the acquisition is for the project of setting up twin city of Navi Mumbai. In case of acquisition for the new Bombay project, the present applicant is not an acquiring body. This law has been laid down by of this Court in the case of *Percival Joseph Pereira v. Special Land Acquisition Officer and others*, [2010 (1) Mh.L.J 985]. The said decision has attained finality. Therefore, the appeals preferred by the applicant are not maintainable.

2. As the appeals are not maintainable, no case is made out for condonation of delay. The applications are rejected. The civil applications for stay do not survive and the same are also disposed of.

3. As the appeals are not even registered, the applicant will be entitled to refund of court fee as per the Rules.

**(C.V. BHADANG, J)**

**(A.S.OKA, J)**