

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO.3329 OF 2015

IN

FIRST APPEAL NO.11056 OF 2014

(V.I.D.C. THROUGH EE MINOR IRRIGATION, AKOLA...VS..RATNAMALA DNYANDEO WANKHADE &
OTH.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri J.B.Kasat, advocate for appellant.
Ms A.R.Kulkarni, A.G.P. for respondent No.2.

CORAM : Z.A.HAQ, J.

DATED : SEPTEMBER 16, 2016.

The appellant (acquiring body) has filed appeal challenging the award passed by the reference Court. The Land Acquisition Officer had granted compensation at the rate of Rs.36,000/- per hectare for 1 hectare 62 R of agricultural land. The reference Court has held that the claimant is entitled for compensation at the rate of Rs.36,000/- per acre.

The difference in the amount of compensation for land is Rs.61,603/-.

As there is delay of about 870 days in filing the appeal, this civil application is filed praying for condonation of delay. The explanation for delay is given in paragraph Nos. 2 to 8 of the application. It is submitted that in connected first appeal arising out of award passed in the proceedings pursuant to the same notification and for the same project, this Court has condoned the delay.

However, in the facts of the present case, I am not satisfied that the appellant has been able to establish that he was prevented by sufficient cause from filing the appeal earlier.

The civil application is **dismissed**. Consequently the first appeal is rejected. No costs.

JUDGE

RRaut..

CERTIFICATE

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