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IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.9890 OF 2016
IN
CIVIL REVISION APPLICATION STMAP NO.20208 OF 2016

Sopan Chandrappa Kamble (Died) LRs

APPLICANTS

VERSUS

The State of Maharashtra and Others

RESPONDENTS

.....

Mr. V. V. Ingale, Advocate for the applicants

Mr. S. W. Mundhe, AGP for respondents No.1 and 2

Mrs. R. D. Reddy, Advocate for respondent No.3

.....

[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 17th MARCH, 2017

ORDER :

1. Heard learned advocates for the parties.
2. Learned advocate for the applicants points out that the land acquisition reference was being prosecuted by the father of the applicants and that during pendency of the proceedings he died around 2012 and subsequently the land acquisition reference had been rejected on 10th November, 2015 for want of payment of court fees. The applicants were not aware either about pendency of the land acquisition reference or about the order passed by the reference court. It was only when they

learnt, around February, 2016, that in respect of land comprising the same notification compensation has been enhanced, they sought legal advice and it transpired that in fact their father had already filed land acquisition reference.

3. Learned advocate for the applicants submits that the delay has been caused under aforesaid circumstances and the same is neither intentional nor deliberate nor any benefit can be said to have been derived by them in the process.

4. Learned AGP and learned advocate for respondent No.3 find it difficult to accede to the request, however, they are not in a position to challenge veracity of the reasons given for condonation of delay, by any credible material.

5. In the circumstances, it would be expedient to condone the delay. As such, civil application stands granted in terms of prayer clause "B" and is disposed of.

[SUNIL P. DESHMUKH, J.]

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[CORAM : SUNIL P. DESHMUKH, J.]

DATE : 17th MARCH, 2017

ORDER :

1. Issue notice to the respondents, returnable on 17th April, 2017.
2. Learned AGP waives service for respondents No.1 and 2 and learned advocate Mrs. Reddy waives for respondent No.3.

[SUNIL P. DESHMUKH, J.]

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