

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**(1)**

**CA NO.13540/2012**

**926 CIVIL APPLICATION NO. 13540 OF 2012  
IN FAST/25955/2012**

WITH

**CA/13542/2012 IN FAST/26008/2012**

WITH

**CA/13544/2012 IN FAST/26011/2012**

WITH

**CA/13546/2012 IN FAST/26014/2012**

WITH

**CA/13548/2012 IN FAST/25999/2012**

WITH

**CA/13550/2012 IN FAST/26005/2012**

THE STATE OF MAHARASHTRA THR COLLECTOR AND ANR  
VERSUS  
SANTRAM MAHADEV HANGE AND ORS

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AGP for Applicants : Mr. S.P.Sonpawale  
Mr. D M Hange, Adv., for Respondents.

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CORAM : P.R. BORA, J.  
Dated: July 14, 2017

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PER COURT :-

1. Heard Shri Sonpawale, learned A.G.P., and Shri D.M.Hange, learned Counsel appearing for the respondents / original claimants. Delay of 1333 days has occurred in filing the present appeals by the appellant State.

2. Learned A.G.P. submitted that in making procedural compliances, the time was consumed and that is the reason that the appeals could not be filed within the

agp/-

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period of limitation. Learned Counsel submitted that substantial grounds are raised in the appeals in exception to the impugned judgment and award. Learned A.G.P. pointed out that when the Special Land Acquisition Officer had offered compensation to the tune of Rs.240/- to Rs.250/- per Are, the Reference Court has enhanced it to Rs.900/- per Are without there being any sufficient evidence therefor. Learned A.G.P. submitted that since public money is involved, the matters be heard on merits.

3. Shri Hange, learned Counsel appearing for respondents / original claimants, opposed for condonation of delay stating that huge delay has not been sufficiently explained. Learned Counsel, in the alternative, submitted that if the appeals are heard immediately without loss of time, the claimants may concede for condonation of delay since they wish to put an end to the litigation. Learned Counsel submitted that the original claimants have not yet received entire amount of compensation as is awarded by the Reference Court. Learned Counsel, therefore, prayed for issuance of appropriate orders. In view of the submission so made, following order is passed:

agp/-

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**(3)**

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ORDER

1. Delay caused in filing the appeals is condoned.  
Civil Applications for condonation of delay stand disposed of.

2. The Appeals be registered in accordance with law.  
On registration of the appeals, issue notice to the  
respondents. Learned Counsel Shri Hange waives service  
for respondents / claimants. Service complete. List the  
matters for final disposal immediately.

(P.R.BORA)  
JUDGE

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agp/13540-12cagr