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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 15281 OF 2016
IN/WITH
CIVIL REVISION APPLICATION (ST) NO.32277 OF 2016**

Baburao s/o Nagappa Tugave,
Age: 50 years, Occ: Agri.,
R/o. Koregaon, Tq.Omerga,
Dist. Osmanabad.

..APPLICANT

VERSUS

1. The State of Maharashtra,
Through the Collector,
Osmanabad.
2. The Special Land Acquisition
Officer No.1, Osmanabad.
3. The Executive Engineer,
Irrigation Project Strenghtening
Division, Omerga, Tq. Omerga,
Dist. Osmanabad.

..RESPONDENTS

Mrs Vinaya Dharurkar (Muley), Advocate for
applicant;
Mrs Vaishali N. Patil, A.G.P. for respondent Nos.1
and 2;
Mr S.G. Sangle, Advocate for respondent No.3

CORAM : N.W. SAMBRE, J.

DATE : 11th JULY, 2017

ORAL ORDER :

For the reasons disclosed, delay caused in

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preferring civil revision application stands condoned, though strenuously opposed by learned Counsel for the respondent-acquiring body, in the interest of justice and looking to the fact that the applicant is an uneducated person and agriculturist.

2. Heard learned A.G.P. Ms. Patil for respondent Nos. 1 and 2 and Mr. Sangle, learned Counsel for the acquiring body-respondent No.3.

3. Learned Counsel for the applicant, upon instructions, undertakes that the applicant shall not claim interest on the enhanced compensation from the first date on which the applicant remained absent before the Reference Court till this date i.e. date of decision on the revision application. The statement is accepted as an undertaking.

4. As a consequences, the impugned order dated 29th March, 2012 passed by the learned Civil Judge, Senior Division, Omerga, District Osmanabad

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on 29th March, 2012 in Land Reference Application No. 1241 of 2009 is set aside. The undertaking that the applicant, on the first date, will be ready with his evidence and shall not seek any further adjournment before the Reference Court, is accepted. If the applicant seeks further adjournment, Reference Court will be at liberty to pass appropriate order , as it shall deem fit.

5. With above observations, civil revision application stands disposed of.

(N.W. SAMBRE, J.)

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