

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1) CA NO.16399 OF 2016

930 CIVIL APPLICATION NO. 16399 OF 2016

IN

FAST/32831/2016

WITH

CA/16400/2016 IN FAST/32831/2016

THE EXECUTIVE ENGINEER, L.M.I. DIVISION, LATUR
VERSUS

LAXMIBAI GANPAT MUNDE AND ANR

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AGP for Respondent State: Mr. S.N.Ganachari

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CORAM : P.R. BORA, J.

Dated: June 16, 2017

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PER COURT :-

1. Though the sole respondent is served, has not entered her appearance in the matter.

2. Delay of 1664 days has occurred in filing the present appeal by the acquiring body. The only reason which has been assigned for occurrence of delay is that in obtaining necessary approval from competent authority and thereafter in collecting the documents, time was consumed. The reason, as has been assigned, cannot be said to be just and sufficient to condone the huge delay of 1664 days. Moreover, when I perused the impugned judgment, it is revealed that the matter pertains to acquisition of only 9 Are land. The Reference Court had determined the market value of the said land at the rate of

agp/-

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(2)

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Rs.1,07,000/- per acre and has accordingly enhanced the amount of compensation. In view of the fact that the amount of enhanced compensation is meager one, I do not find any need to go into the merits of the award passed. In view of the fact that the delay has not been sufficiently explained and further recording that the matter pertains to a small piece of 9 Are land, the application for condonation of delay is rejected. Consequently, the First Appeal on Stamp number also stands rejected. Pending Civil Application/s, if any, stand disposed of.

(P.R. BORA, J.)

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