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

**CIVIL APPLICATION NO.16443 OF 2016
IN/WITH
CIVIL REVISION APPLICATION (ST.) NO.36854 OF 2016**

Balaji Keshav Deokate,
Age : 40 years, Occ.Aгри.,
R/o Rooi, Ta. Ahmedpur,
District Latur

..APPLICANT

VERSUS

The State of Maharashtra,
Through Collector,
Latur

..RESPONDENT

Mr R.R. Suryawanshi, Advocate for applicant;
Mr C.V. Dharurkar, Asstt. Govt. Pleader for respondent

CORAM : N.W. SAMBRE, J.

DATE : 16th June, 2017

ORAL ORDER

Heard.

2. The delay of 2794 days caused in preferring Civil Revision Application is condoned and the revision is taken up for final disposal. Civil Application accordingly stands allowed.

3. Learned Counsel appearing on behalf of the applicant, upon instructions, makes a categorical statement that for the period from framing of the issues before the Reference Court till this date the applicant shall not claim any interest. The said statement is accepted as an undertaking.

(2)

4. In view thereof, the judgment and order dated 15th January, 2009, passed by Joint Civil Judge Senior Division, Ahmedpur, in Land Acquisition Reference No.683 of 2001 is hereby set aside. Land Acquisition Reference No.683 of 2001 stands restored to the file of Joint Civil Judge Senior Division, Ahmedpur, who shall decide the same afresh, in accordance with law, after giving an opportunity to the applicant to adduce evidence.

A further assurance of the learned Counsel for the applicant that the applicant shall not seek any adjournment in the matter and shall work out the same expeditiously is also accepted.

In case if the applicant or his lawyer fail to co-operate the learned Joint Civil Judge Senior Division, Ahmedpur, in deciding the aforesaid matter, the said Court will be at liberty to dismiss the same again.

Civil Revision Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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