

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 3553 OF 2001
AND
CIVIL APPLICATION NO. 3554 OF 2001
IN
FIRST APPEAL (ST) NO. 35073 OF 1997

The State of Maharashtra .. Applicant.
vs.
Tukaram R. Barve and anr. .. Respondents.

Mr. Ameet Palkar, Asst. Government Pleader for the Applicants-
Appellant- State.

CORAM : M. S. SONAK, J.
DATE : 28 FEBRUARY 2017.

P.C. :-

1] The challenge in this appeal is to the judgment and award dated 29 June 1996. The appeal was filed in the year 1997 after some delay. However, the application seeking condonation of was taken out only in the year 2001. From the said year onwards, the matter is pending on account of service upon the respondents.

2] The entire amount of enhanced compensation in this case comes to Rs.7796/-. In these circumstances, for the reasons set out in the order dated 6 February 2017 in Civil Application No.5080 of 2001 in First Appeal (St) No. 12511 of 1999, this civil application and consequently the appeal is dismissed. The civil application for stay does not survive and the same is also dismissed.

3] It is made clear that dismissal as aforesaid, shall not be taken as approval of the rate determined by the Reference Court.

(M. S. SONAK, J.)