

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 4965 OF 2016
IN
FIRST APPEAL (ST) NO. 22217 OF 2007

Hamir R. Kharva
(since deceased through Lrs.) and ors. .. Applicants/Appellants

vs.

Special Land Acquisition Officer
and anr. .. Respondents

Mr. Prasad Kulkarni i/b Mr. P.S. Dani, Sr. Advocate for the Applicants.

CORAM : M. S. SONAK, J.
DATE : 04 JANUARY 2017.

P.C. :-

1] Although, this civil application stands dismissed insofar as appellant Nos.6/1, 6/2 and 6/3 are concerned, because, they have expired and the application for bringing their legal representatives on record also stands dismissed vide this court's conditional order dated 23 November 2007, the application survives insofar as the remaining applicants/appellants are concerned.

2] For the reasons set out in the civil application and the affidavit in support thereof, the delay of 191 days in instituting the appeal against the award made by the Land Acquisition Officer is hereby condoned. Civil Application No. 4965 of 2016 is disposed of.

3] However, taking into consideration that the appeal is against the award of Land Acquisition Officer and the appeal seeks

enhancement of compensation, the appeal is hereby admitted. The Registry to take cognizance of the aforesaid order of admission and to process the matter accordingly. The appellants are at liberty to file private paper book within a period of three months from today.

(M. S. SONAK, J.)

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