

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C.A.F. NO.3770/2017 IN FIRST APPEAL NO.775/2016
(KISHOR BAPURAO DESHPANDE **VERSUS** THE STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri S.D. Chopade, Counsel for the appellant.
Shri B.M. Lonare, A.G.P. for the respondent Nos.1 & 2.
Ms. A.S. Athalye, Counsel for the respondent No.3.

CORAM : S.B. SHUKRE, J.
DATE : NOVEMBER 06, 2017.

Heard learned counsel for the appellant, learned AGP Shri Lonare for the State and learned counsel Ms. Athalye for the respondent No.3. Learned AGP submits that appropriate order may be passed. Learned counsel for the respondent No.3 submits that the respondent No.3 has no objection if early hearing is granted.

Usually, in cases where the land owner has already received compensation and has filed an appeal seeking enhancement in compensation, early hearing would not be granted by this court. Even if early hearing is to be granted on the ground of land owner being senior citizen, the order in which such an appeal would be taken up for final hearing, would be governed by the order of seniority of all the land owners, who are senior citizens and whose appeals are pending for final hearing. In this case, however, it appears that an exception would have to be made for the reason that the appellant has stated that he is a patient of chronic kidney failure, which statement is supported by a leading

Nephrologist of Nagpur. That apart, the acquiring body also has no objection in allowing this application. Therefore, this application is granted.

Let this matter be listed for final hearing in the 4th week of November, 2017.

Application stands disposed of.

JUDGE

SHRIPAD