

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

**947 CIVIL APPLICATION NO. 4593 OF 2018
IN FAST/2519/2018
WITH
CA/4594/2018 IN FAST/2358/2018**

**PRAMILABAI VASANT CHAUDHARI AND ORS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, UTPH-I, JALGAONAND
ANR**

...
Advocate for Applicants : Shri Hemraj P. Kshirsagar
AGP for Respondent – State : Smt.S.S.Raut
Advocate for Respondent No.2 : Shri Suresh D.Dhongade
...

CORAM : P.R.BORA, J.

DATE: 19th September, 2018

PER COURT:-

1 When the present matters are taken up for hearing, the learned Counsel appearing for the applicants/appellants tendered across the bar a copy of the order passed by this Court (Coram: K.L.Wadane, J.) in Civil Application No.12962 of 2017 in First Appeal (Stamp) No.31050 of 2017 and the order passed by the Panel of Lok Adalat held on 09.12.2017. The documents are taken on record and marked as 'X' for identification.

2 In the present matters delay caused is of 3995 days. The acquisitions were for same Waghur Dam. In the Civil Application

No.12962 of 2017, this Court has condoned the delay of 4163 days and thereafter, the matter was placed before the Lok Adalat with consent of the learned Counsel for the Acquiring Body. The order passed by the Lok Adalat reflects that the First Appeal (Stamp) No.31050 of 2017 in which this Court has condoned the delay has also been settled in Lok Adalat held on 09.12.2017.

3 In view of above, it may be improper to take any different view. As such, I am inclined to condone the delay, which has occasioned in filing the Appeals by the present applicants/appellants. Hence, the following order:-

ORDER

- I) The Applications are allowed.
- II) The delay of 3995 days caused in filing the Appeals is condoned.
- III) The Appeals be registered in accordance with law.
- IV) It is clarified that the applicants shall not be entitled for any statutory benefits or interest for the period of delay in the event of their success in the Appeals. The applicants to file necessary undertaking in that regard within four weeks from the date of this order.

V) After registration of Appeals, issue notice to the respondents, returnable after four weeks.

VI) Smt.S.S.Raut, learned AGP waives service of notice for respondent No.1/State. Shri Suresh D.Dhongde, learned Counsel waives service of notice for respondent No.2/Acquiring Body.

(P.R.BORA)
JUDGE

SPT