

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

951. CIVIL APPLICATION NO.6532 OF 2018
IN FAST/10270/2018 WITH CA/6530/2018 IN
FAST/10575/2018 WITH CA/6534/2018 IN
FAST/10570/2018 WITH CA/6536/2018 IN
FAST/10578/2018

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THE EXECUTIVE ENGINEER, LATUR MEDIUM PROJECT
DIVISION, LATUR

VERSUS

SUKHAWANT SHAHAJIRAO RANDALE (DIED)
THROUGH L.RS. MINAKSHI AND OTHERS

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Smt. Ranjana D. Reddy, Advocate for the
applicants.

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CORAM : P.R.BORA, J.
DATE : 03.10.2018

ORDER:

1. Heard Smt. Ranjana D. Reddy, learned
counsel appearing for the applicants. Though
the respondents i.e. original claimants are
duly served, none of them has entered
appearance in the matter.

2. The delay of 793 days has occurred
in filing the present First Appeals by the
acquiring body. The main reason or
justification of the delay is procedural

compliances. The learned counsel submitted that the appellant being State Governmental Undertaking certain procedure has to be followed for filing the First Appeals in the High Court. The learned counsel submitted that in obtaining such permission and then in procuring the amount for court fees, time was consumed and that is the reason, the delay occurred in filing the Appeals. It is further contended that the delay is unintentional and without any mala fides. The learned counsel further pointed out that substantial grounds are raised by the acquiring body in exception to the judgments and awards. It is contended that when the Special Land Acquisition Officer had offered compensation at the rate of Rs.86,700/- per hector, the Reference Court has enhanced it to Rs.3 lakh per hector. The learned counsel, in the circumstances, prayed for condoning the delay so that all Appeals filed by the acquiring

body can be heard on merits. In view of the submissions so made and more particularly having regard to the fact that the public money is involved, I am inclined to allow these Applications. Hence the following order.

ORDER

1. The Applications are allowed.
2. The delay caused in filing the First Appeals is condoned.
3. Civil Applications for condonation of delay stand disposed of.
4. First Appeals be registered in accordance with law.
5. On registration of the First Appeals, issue notice to the respondents, returnable after 6 weeks.

[P . R . BORA]
JUDGE