

(1)

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

**CIVIL APPLICATION NO.9544 OF 2018
IN
FIRST APPEAL (ST.) NO.14430 OF 2012
WITH
CIVIL APPLICATION NO.9752 OF 2012**

Samb s/o Trimbakappa Mahajan,
Age: 57 years, Occu: Agril.,
R/o Ahmedpur, Tq. Ahmedpur,
Dist. Latur

..APPLICANT

VERSUS

1. The State of Maharashtra,
Through Collector, Latur
2. The Executive Engineer,
Latur Minor Irrigation Division,
Latur

..RESPONDENTS

**WITH
CIVIL APPLICATION NO.9755 OF 2012
IN
FIRST APPEAL (ST.) NO.14703 OF 2012**

Ram s/o Trimbakappa Mahajan,
Age: 71 years, Occu: Agril.,
R/o Ahmedpur, Tq. Ahmedpur,
Dist. Latur

..APPLICANT

VERSUS

1. The State of Maharashtra,
Through Collector, Latur
2. The Executive Engineer,
Latur Minor Irrigation Division,
Latur

..RESPONDENTS

(2)

Mr Mahesh S. Patil, Advocate for applicants;
Mr R. B. Bagul, A.G.P. for respondent No.1;
Mr S. G. Sangale, Advocate for respondent No.2

**CORAM : PRASANNA B. VARALE
AND
S. M. GAVHANE, JJ.**

DATE : 8th August, 2018

ORAL ORDER:

Heard Mr Patil, learned Counsel appearing for applicants, learned A.G.P. for respondent No.1 and Mr Sangale, learned Counsel appearing on behalf of respondent No.2.

2. Civil Application Nos.9752 of 2012 and 9755 of 2012 are for condonation of delay caused in filing first appeal and Civil Application No.9544 of 2018 is for amendment.

3. The common ground in these applications is, financial difficulties of the applicants. It is submitted that the appeal is filed by the acquiring body and by way of an interim order, this Court directed the acquiring body to deposit certain amount. The applicants are having only source of their agricultural lands which were acquired by the Government and as they were facing financial difficulties, they were unable to approach this Court for filing appeal for seeking adequate compensation of their lands. The applicants were permitted to withdraw the part of the amount deposited by the acquiring body.

(3)

4. It is further submitted that due to financial difficulties, the appeal was restricted but now as the appellants received certain amount, they are ready to deposit the deficit court fees against the claim in appeal.

5. In view of the above referred facts, all these applications are allowed and disposed of. The applicants to take necessary steps for consequential amendment.

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)

sjk