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

**CIVIL APPLICATION NO.9543 OF 2018
IN
FIRST APPEAL (ST.) NO.14706 OF 2012
WITH
CIVIL APPLICATION NO.9754 OF 2012**

Baburao s/o Shivling Wadkar,
Age: 59 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

Mr Mahesh S. Patil, Advocate for applicant;
Mr S. M. Ganachari, 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 applicant, learned
A.G.P. for respondent No.1 and Mr Sangale, learned Counsel appearing on
behalf of respondent No.2.

(2)

2. Civil Application No.9754 of 2012 is for condonation of delay caused in filing first appeal and Civil Application No.9543 of 2018 is for amendment.

3. The common ground in both these applications is, financial difficulties of the applicant. 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 applicant is having only source of his agricultural land which was acquired by the Government and as he was facing financial difficulties, he was unable to approach this Court for filing appeal for seeking adequate compensation of his lands. The applicant was permitted to withdraw the part of the amount deposited by the acquiring body.

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

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

(S. M. GAVHANE, J.)

(PRASANNA B. VARALE, J.)