

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**926 CIVIL APPLICATION NO. 13062 OF 2018
IN FAST/28479/2018
WITH
CA/13063/2018 IN FAST/28479/2018**

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION, LATUR
THR GMIDC, AURANGABAD
VERSUS
ASHOK GAHININATH KOLHE AND ORS

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Advocate for Applicant : Shri Mahesh C.Swami
AGP for Respondents - State : Shri G.O.Wattamwar
Advocate for Respondent - claimant : Shri G.K.Sontakke

...
**WITH CA/13064/2018 IN FAST/29295/2018
WITH CA/13065/2018 IN FAST/29295/2018
WITH CA/13066/2018 IN FAST/29305/2018
WITH CA/13067/2018 IN FAST/29305/2018
WITH CA/13068/2018 IN FAST/29358/2018
WITH CA/13069/2018 IN FAST/29358/2018
WITH CA/13070/2018 IN FAST/29334/2018
WITH CA/13071/2018 IN FAST/29334/2018
WITH CA/13072/2018 IN FAST/29316/2018
WITH CA/13073/2018 IN FAST/29316/2018
WITH CA/13074/2018 IN FAST/29347/2018
WITH CA/13075/2018 IN FAST/29347/2018
WITH CA/13076/2018 IN FAST/29339/2018
WITH CA/13077/2018 IN FAST/29339/2018
WITH CA/13078/2018 IN FAST/29300/2018
WITH CA/13079/2018 IN FAST/29300/2018
WITH CA/13080/2018 IN FAST/29325/2018
WITH CA/13081/2018 IN FAST/29325/2018
WITH CA/13082/2018 IN FAST/29321/2018
WITH CA/13083/2018 IN FAST/29321/2018
WITH CA/13084/2018 IN FAST/29343/2018
WITH CA/13085/2018 IN FAST/29343/2018
WITH CA/13086/2018 IN FAST/29353/2018
WITH CA/13087/2018 IN FAST/29353/2018
WITH CA/13088/2018 IN FAST/29330/2018
WITH CA/13089/2018 IN FAST/29330/2018
WITH CA/13090/2018 IN FAST/29310/2018
WITH CA/13091/2018 IN FAST/29310/2018**

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CORAM : P.R.BORA, J.**DATE: 23rd October, 2018****PER COURT:-**

1 Issue notice to the respondents. Learned Counsel Shri G.K.Sontakke waives service of notice for respondents – claimants in all these matters. Shri G.O.Wattamwar, learned AGP waives service of notice for respondent Nos.2 and 3. Service complete.

2 Shri Mahesh C.Swami, learned Counsel appearing for the Acquiring Body submitted that in making procedural compliances, delay of 622 days has caused in filing the appeals by the Acquiring Body. The learned Counsel further submitted that substantial grounds are raised in exception to the impugned Judgment and awards. It is further contended that the Special Land Acquisition Officer offered the amount of compensation @ Rs.23,960/- and Rs.24,600/- per Acre. The Reference Court has enhanced it to Rs.4,483/- per Acre i.e. Rs.1,79,320/- per Acre.

3 The learned Counsel for the respondents – claimants fairly submitted that delay be condoned and the matters be heard on merits.

4 In view of the submissions so made, the following order is passed:-

ORDER

I) Delay of 622 days caused in filing the appeals by the Acquiring Body is condoned.

II) Civil Applications for condonation of delay stand disposed of.

III) Appeals be registered in accordance with law.

IV) On registration of appeals, issue notice to the respondents. Shri G.K.Sontakke, learned Counsel waives service of notice for the respondents i.e. original claimants. Shri G.O.Wattamwar, learned Counsel waives service of notice for respondent Nos.2 and 3. Service complete.

V) List the appeals for further consideration on 18.12.2018.

5 The execution of the awards impugned in the present appeals shall stand stayed subject to deposit of the entire amount under each of the said award alongwith interest accrued there on by the Acquiring Body in this Court within the period of eight weeks.

6 Civil applications for Stay stand disposed of.

(P.R.BORA)
JUDGE

SPT