

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL REVISION APPLICATION ST.NO.36095 OF 2017

Sonyabapu Bhagchand Gondkar,
aged 67 years, Occ: Retired,
R/o Shirdi, Tq. Rahata,
District Ahmednagar.

Applicant

Versus

01 The State of Maharashtra,
through the Sub Divisional Officer,
Shirdi Division/Deputy Collector/
Special Land Acquisition Officer,
Shirdi, Tq. Rahata,
District Ahmednagar.

02 Shirdi Nagarpanchayat,
Shirdi, through its Chief Officer,
at Shirdi, Tq. Rahata,
District Ahmednagar.

Respondents

Mr.Shaikh Majit S., advocate for the applicant
Mr.B.V.Virdhe, A.G.P. for Respondent No.1.
Mr.Deshmukh, advocate holding for Mr.A.V.Hon, advocate for
Respondent No.2.

CORAM : M.S.SONAK, J.
DATE : 31st January, 2018.

ORAL JUDGMENT :

1 Consequent upon condonation of delay, this Civil Revision Application is taken up for final disposal at the stage of admission.

2 In this case, the Special Land Acquisition Officer has declined to accept Reference under Section 18 of the Land Acquisition Act, 1894, as there was delay on the part of the

applicant in depositing the court fees.

3 From perusal of the order, it appears that no opportunity of hearing was offered to the applicant. The applicant is now ready and willing to pay the court fees within four weeks from today. In these circumstances, it will be only appropriate that the impugned order is set aside, subject to applicant depositing court fee amount with the concerned SLAO within four weeks from today.

4 The impugned order is, therefore, set aside and the SLAO is directed to make reference to the Reference Court within a period of eight weeks thereafter. If the applicant fails to deposit the court fees with the SLAO within four weeks from today, then this Civil Revision Application shall be deemed to have been dismissed, without further reference to the Court.

5 Civil Revision Application is allowed in the aforesaid terms. There shall be no order as to costs.

6 All concerned to act on the basis of authenticated copy of this order.

M.S.SONAK
JUDGE

adb

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.14539 OF 2017 IN
CIVIL REVISION APPLICATION ST.NO.36095 OF 2017

Sonyabapu Bhagchand Gondkar

Applicant

Versus

The State of Maharashtra & another

Respondents

Mr.Shaikh Majit S., advocate for the applicant

Mr.B.V.Virdhe, A.G.P. for Respondent No.1.

Mr.Deshmukh, advocate holding for Mr.A.V.Hon, advocate for Respondent No.2.

CORAM : M.S.SONAK, J.

DATE : 31st January, 2018.

P.C. :

Learned Counsel for the applicant submits that service is complete in this matter. Mr.Deshmukh, advocate holding for Mr.A.V.Hon, advocate appears for Respondent No.2 and Mr.Virdhe, A.G.P. appears for Respondent No.1.

Taking into consideration the averments in the Civil Application, delay of 148 days in instituting the appeal is hereby condoned.

Civil Application is disposed of.

M.S.SONAK
JUDGE

adb