

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2457 OF 2017 IN
FIRST APPEAL ST. NO. 38854 OF 2016

Govind Santram Tokale
& others

Applicants

Versus

The State of Maharashtra
& another

Respondents

WITH
CIVIL APPLICATION NO. 2584 OF 2017 IN
FIRST APPEAL ST. NO. 39152 OF 2016

Ramchandra Smbhaji Tiruke

Applicants

Versus

The State of Maharashtra
& another

Respondents

Mr. V.D. Godbharle, advocate for applicants.
Mr. B.V. Virdhe, AGP for respondents.

CORAM : M.S. SONAK, J.
DATE : 1st FEBRUARY, 2018

PER COURT:

1. These are the applications seeking condonation of delay. Although the delay appears to be substantial, it is stated in the civil applications that till this date, the compensation awarded by the reference court has not been paid to the applicants. It is pointed out that applicants are agriculturists whose lands have already been acquired and compensation awarded by the Land

Acquisition Officer was too meager. It is pointed out that even the compensation awarded by the reference court has not been paid to the applicants till the date of filing of the applications.

2. It is submitted that in these circumstances, it is not possible for the applicants to arrange for the amount of court fees as well as legal fees to institute these appeals. Besides, it is pointed out that several connected appeals have already been admitted by this Court which includes First Appeal No. 37/2010 and other connected matters.

3. Taking into consideration all the aforesaid circumstances cumulatively, sufficient cause is made out and therefore, delay in instituting first appeals is condoned. However, such condonation of delay shall be subject to applicants filing an undertaking that they will not claim interest for the delayed period. Such undertaking be filed within eight weeks from today. If no such undertaking is filed within eight weeks then, these civil applications for condonation of delay shall be deemed to have been dismissed and the appeals shall consequently stand dismissed. If the undertaking is filed within eight weeks from today, the registry to register the first appeals and place the same for admission.

(M.S. SONAK, J.)