

Vidya Amin

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 251 OF 2018
IN
FIRST APPEAL NO. 585 OF 2014

Ramabai Laxman Malusare (Decd.)
through LRs Dhondiba Laxman ... Applicant
Vs.
The Land Acquisition Officer No.3,Pune & Ors. ... Respondents

WITH
CIVIL APPLICATION NO. 252 OF 2018
IN
FIRST APPEAL NO. 586 OF 2014

Ramchandra Bhagu Malusre ... Applicant
Vs.
The Land Acquisition Officer No.17,Pune & Ors. ... Respondents

WITH
CIVIL APPLICATION NO. 253 OF 2018
IN
FIRST APPEAL NO. 645 OF 2007
WITH
CIVIL APPLICATION NO. 254 OF 2018
IN
FIRST APPEAL NO. 646 OF 2007
WITH
CIVIL APPLICATION NO. 255 OF 2018
IN
FIRST APPEAL NO. 647 OF 2007

Pandurang Babu Golande ... Applicant
Vs.
The State of Maharashtra ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33225 OF 2017
IN
FIRST APPEAL NO. 2145 OF 2011**

Govind Hari Salekar (Decd.)
through LRs Laxman Govind Salekar ... Applicant
Vs.
The Land Acquisition Officer ... Respondent

**WITH
CIVIL APPLICATION (St.) NO. 33230 OF 2017
IN
FIRST APPEAL NO. 757 OF 2011**

Smt. Tahanubai Maruti Sanas ... Applicant
Vs.
The Land Acquisition Officer No.17,Pune ... Respondent

**WITH
CIVIL APPLICATION (St.)NO. 33232 OF 2017
IN
FIRST APPEAL NO. 1805 OF 2011**

Raghu Bhagu Sanas & Ors. ... Applicants
Vs.
The Land Acquisition Officer No.17,Pune ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33236 OF 2017
IN
FIRST APPEAL NO. 1965 OF 2011**

Bhagu Bhairu Salekar & Ors. ... Applicants
Vs.
The Land Acquisition Officer No.17,Pune ... Respondent

**WITH
CIVIL APPLICATION (St.) NO. 33240 OF 2017
WITH
CIVIL APPLICATION NO. 6216 OF 2008
IN
R.C. No. 1041 OF 2010**

Shantaram Barku Shivekar & Ors. ... Applicants
Vs.
The State of Maharashtra ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33242 OF 2017
IN
R.C. NO. 651 OF 2017**

Shivaji Dagdu Marene ... Applicant
Vs.
The Land Acquisition Officer No.6,Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33274 OF 2017
IN
R.C. NO. 1238 OF 2017**

Dnyeshwar Bhikaji Marene ... Applicant
Vs.
The Land Acquisition Officer No.6,Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33277 OF 2017
IN
R.C. NO. 1201 OF 2014**

Ramchandra Dhondiba Marene ... Applicant
Vs.
The Land Acquisition Officer No.6,Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33282 OF 2017
IN
R.C. NO. 167 OF 2013**

Maruti Bhaguji Chaudhari ... Applicant
Vs.
The Land Acquisition Officer No.6,Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33284 OF 2017
IN
R.C. NO. 166 OF 2013**

Arun Dagdu Marene ... Applicant
Vs.
The Land Acquisition Officer, Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33286 OF 2017
IN
R.C. NO. 2605 OF 2016**

Rama Kondu Zore ... Applicant
Vs.
The Land Acquisition Officer No.6, Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33288 OF 2017
IN
FIRST APPEAL NO. 1804 OF 2011**

Gangaram Rama Salekar (Decd.)
through LRs Smt. Kasabai Gangaram ... Applicant
Vs.
The Land Acquisition Officer No.17,Pune & Ors. ... Respondents

**WITH
CIVIL APPLICATION (St.) NO. 33289 OF 2017
IN
FIRST APPEAL NO. 2094 OF 2011**

Sakharam Dagdu Sanas & Anr. ... Applicants
Vs.
The Land Acquisition Officer No.17,Pune & Ors. ... Respondents

Mr. Gaurav Potnis i/b. Pallavi Potnis, Advocate for the applicants.
Mr. Yogesh Dabke, AGP for the respondents/State.

**CORAM: MRS.MRIDULA BHATKAR, J.
DATE: 18th January, 2018.**

P.C.:

Upon mentioning, taken on production board.

2. All these First Appeals were dismissed by different orders for want of removal of office objections.

3. The learned counsel for the applicants and the learned AGP for the respondent submit that all these matters are to be taken before the Lok Adalat, which is to be scheduled on 10th February, 2018. The learned counsel for the applicants submitted that notice is served in the Applications to respondent no. 2-Maharashtra Krishna Valley Development Corporation and produced acknowledgment dated 17th January, 2018, which is taken on record. However, none present for respondent no. 2.

Civil Application Nos. 251 of 2018 in First Appeal No. 585 of 2014
Civil Application Nos. 252 of 2018 in First Appeal No. 586 of 2014

4. These Applications are moved for restoration of First Appeals and setting aside the order dated 28th June, 2017 passed by the Registrar (Judicial-II). The First Appeals were dismissed for non-removal of the office objections. The learned counsel for the applicants undertakes to remove the office objections.

5. In view of this submission, the order dated 28th June, 2017 is hereby recalled. For the reasons mentioned in the Applications, delay is condoned. First Appeals are restored to its original file. The applicants shall remove all the office objections.

6. Civil Applications are allowed and disposed of accordingly.

Civil Application Nos. 253 of 2018 in First Appeal No. 645 of 2007
Civil Application Nos. 254 of 2018 in First Appeal No. 646 of 2007
Civil Application Nos. 255 of 2018 in First Appeal No. 647 of 2007

7. These Applications are moved for restoration of First Appeals and for condonation of delay in filing these Applications for restoration of Appeals.

8. The learned counsel for the applicants submitted that there is delay in filing the Applications for restoration of First Appeals. He submitted that the Appeals are admitted on 2nd February, 2007,

however, they are dismissed, as the paper books were not filed within one year from the date of the order. He submitted that inadvertently the paper books were not filed and now the appellants are ready to file the paper book within eight weeks.

9. As the Appeals are already admitted on 2nd February, 2007, the order of dismissal for want of compliance is hereby recalled. For the reasons mentioned in the Applications, delay is condoned. First Appeals are restored to its original file. The applicants/appellants are directed to file paper books within eight weeks from today.

10. Civil Applications are allowed and disposed of accordingly.

Civil Application (St.) No. 33225 of 2017 in F.A. No. 2145 of 2011

11. This Application is moved for restoration of First Appeal and setting aside the order dated 28th April, 2011 passed by the Registrar (Judicial-II). The First Appeal was dismissed for non-filing of paper book. The learned counsel for the applicants undertakes to remove the office objections.

12. In view of this submission, the order dated 28th April, 2011 is hereby recalled. For the reasons mentioned in the Applications, delay

is condoned. First Appeal is restored to its original file. The applicant shall remove all the office objections.

13. Civil Application is allowed and disposed of accordingly.

Civil Application (St.) No. 33230 of 2017 in First Appeal No. 757 of 2011

14. This Application is moved for restoration of First Appeal. The First Appeal was dismissed on 6th March, 2014 for not filing the paper book within the stipulated time.

15. The learned counsel for the applicant submitted that there is delay in filing this Application for restoration of First Appeal. He submitted that the Appeal is admitted on 25th February, 2011, however, it is dismissed, as the paper book was not filed within eight weeks from the date of the order. He submitted that inadvertently the paper book was not filed and now the appellant is ready to file the paper book.

16. As the Appeal is already admitted, the order of dismissal for want of compliance is hereby recalled. For the reasons mentioned in the Application, delay is condoned. First Appeal is restored to its original file. The applicant/appellant is directed to file paper book within eight weeks from today.

17. Civil Application is allowed and disposed of accordingly.

Civil Application (St.) No. 33232 of 2017 in First Appeal No. 1805 of 2011

18. This Application is moved for restoration of First Appeal and for condonation of delay in filing this Application for restoration of Appeal. The First Appeal was dismissed on 6th December, 2013 for not filing the paper book within stipulated time.

19. The learned counsel for the applicant submitted that there is delay in filing this Application for restoration of First Appeal. He submitted that the Appeal is admitted, however, it is dismissed, as the paper book was not filed within eight weeks from the date of the order. He submitted that inadvertently the paper book was not filed and now the appellant is ready to file the paper book.

20. As the Appeal is already admitted, the order of dismissal for want of compliance is hereby recalled. For the reasons mentioned in the Applications, delay is condoned. First Appeal is restored to its original file. The applicant/appellant is directed to file paper book within eight weeks.

21. Civil Application is allowed and disposed of accordingly.

Civil Application (St.) No. 33236 of 2017 in First Appeal No. 1965 of 2011

22. This Application is moved for restoration of First Appeal and for condonation of delay in filing this Application for restoration of Appeal. The First Appeal was dismissed on 28th February, 2011 for not filing the paper book within stipulated time.

23. The learned counsel for the applicant submitted that there is delay in filing this Application for restoration of First Appeal. He submitted that the Appeal is admitted, however, it is dismissed, as the paper book was not filed within eight weeks from the date of the order. He submitted that inadvertently the paper book was not filed and now the appellant is ready to file the paper book.

24. As the Appeal is already admitted, the order of dismissal for want of compliance is hereby recalled. For the reasons mentioned in the Applications, delay is condoned. First Appeal is restored to its original file along with Civil Application . The applicant/appellant is directed to file paper book within eight weeks.

25. Civil Application is allowed and disposed of accordingly.

Civil Application (St.) No. 33240 of 2017 in First Appeal (St.) No. 10103 of 2007

26. This Application is moved for restoration of First Appeal and

Civil Application No. 6216 of 2008. The First Appeal was dismissed on 9th July, 2007 for non-removal of the office objections. The learned counsel for the applicants undertakes to remove the office objections.

27. In view of this submission, the order dated 9th July, 2007 is hereby recalled. Delay, if any, is condoned. First Appeal along with Civil Application are restored to its original file. The applicants shall remove all the office objections.

28. Civil Application is allowed and disposed of accordingly.

Civil Application(St.) No.33242/2017 in F.A.(St.)No. 5266 of 2007
Civil Application(St.) No.33274/2017 in F.A.(St.)No. 5259 of 2007
Civil Application(St.) No.33277/2017 in F.A.(St.)No. 5264 of 2007
Civil Application(St.) No.33286/2017 in F.A.(St.)No. 5261 of 2007

29. These Applications are moved for restoration of First Appeals and Civil Applications. The First Appeals were dismissed on 21st November, 2007 for non-prosecution. The learned counsel for the applicants submitted that the said order be recalled.

30. In view of this submission, the orders dated 21st November, 2007 is hereby recalled. Delay, if any, are condoned. First Appeals along with Civil Applications are restored to its original file.

31. Civil Applications are allowed and disposed of accordingly.

Civil Application(St.) No.33282/2017 in F.A.(St.)No. 6162 of 2007
Civil Application(St.) No.33284/2017 in F.A.(St.)No. 6155 of 2007

32. These Applications are moved for restoration of First Appeals and Civil Applications. The First Appeals were dismissed for non-compliance of the order dated 17th September, 2007. The learned counsel for the applicants submitted that applicants will comply with the order.

33. In view of this submission, the orders dated 17th September, 2007 is hereby recalled. Delay, if any, are condoned. First Appeals along with Civil Applications are restored to its original file.

34. Civil Applications are allowed and disposed of accordingly.

Civil Application (St.) No. 33288 of 2017 in First Appeal No. 1804 of 2011

35. This Application is moved for restoration of First Appeal and for condonation of delay in filing present Application. The First Appeal was dismissed by order dated 23rd February, 2015 for non-removal of the office objections. The learned counsel for the applicants undertakes to remove the office objections.

36. In view of this submission, the order dated 23rd February, 2015 is hereby recalled. Delay is condoned. First Appeal is restored to its original file. The applicant shall remove all the office objections.

37. Civil Application is allowed and disposed of accordingly.

Civil Application(St.) No.33289/2017 in F.A. No. 2094 of 2011

38. This Application is moved for restoration of First Appeal and Civil Application. The First Appeals were dismissed for non-compliance of the order dated 13th July, 2011 in First Appeal and in CAF/1301/2014. The learned counsel for the applicants submitted that applicants will comply with the order.

39. In view of this submission, the orders dated 13th July, 2011 in First Appeal and in CAF/1301/2014 is hereby recalled. Delay, if any, are condoned. First Appeal is restored to its original file.

40. Civil Application is allowed and disposed of accordingly.

41. The applicants shall remove all the office objections. If the objections are not removed within the stipulated time, the First Appeals shall stand dismissed forthwith without further referring to the Court.

(MRIDULA BHATKAR, J.)