

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAC) NO.10 OF 2017
IN
CIVIL REVISION APPLICATION ST. NO.18959 OF 2016

Panchfula Ramchandra Deulkar (Dead) Haridas Ramchandra Deulkar
-vs-
The State of Maharashtra, Thr. The Collector, Amravati

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Shrikant Saoji, Advocate for applicant.
Shri M. A. Kadu, AGP for non-applicants.

CORAM : A.S.CHANDURKAR, J.
DATE : July 18, 2018

Considering reasons mentioned in the application the delay in filing the civil revision application stands condoned.

Civil Application is allowed and disposed of.

Civil Revision Application St. No.18959 of 2016

Notice on the application is made returnable forthwith. Learned Assistant Government Pleader waives notice on behalf of the non-applicants.

The applicant is aggrieved by the order dated 02/05/2016 passed by the reference Court under Section 18 of the Land Acquisition Act, 1894. By that order, the reference proceedings have been dismissed as being barred by limitation.

On perusing the impugned order and after hearing the learned counsel for the parties, it is seen that notice under Section 12(2) of the said Act was received on 21/06/2004. The reference proceedings were filed after period of six weeks on 07/08/2004. On that count the reference court has rightly found the proceedings to be barred by limitation. In the light of observations in *Pravin s/o Madhukar Thakare vs. The State of Maharashtra and ors. 2018 (3) Mh.L.J. 463*, the impugned order is not liable to be set aside.

In view of aforesaid, the Civil Revision Application is dismissed with no order as to costs.

JUDGE

Asmita
Adwait
Bhandakkar

Digitally signed by
Asmita Adwait
Bhandakkar
Date: 2018.07.20
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