

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.**

**939 CIVIL APPLICATION NO.1244 OF 2018
IN FAST/39533/2017 WITH CA/1248/2018 IN
FAST/39533/2017**

**THE STATE OF MAHARASHTRA AND ANR
VERSUS
LAXMIBAI PANDHARI DHUMAL**

...
AGP for Applicant – State : Shri P.M. Kulkarni

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CORAM : P.R. BORA, J.
Dated: February 21, 2019

PER COURT :-

1. When the present matter is taken up for consideration, it is revealed that, the companion appeal arising out of the same acquisition has been dismissed by this Court yesterday. The present matter pertains to acquisition of only 1 *Are* land and the amount of compensation as has been enhanced by the Reference Court is of Rs.11,240/-. Considering that, the matter pertains to a small piece of land and the enhancement was only of Rs.11,240/- and having regard to the further fact that, the companion appeal has been dismissed by this Court, it does not appear to me that, even notice deserves to be issued in the present matter on application for condonation of delay. Even otherwise, the delay of 1954 days is of a huge period and

the same has not been satisfactorily explained. Thus, neither on the point of delay nor on merits, there appears any case for the applicant – State. Hence, the following order is passed.

ORDER

(i) The application for condonation of delay as well as the appeal on stamp number stand dismissed, however, without any order as to the costs.

(**PR. BORA, J.**)

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GGP