

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.4177 OF 2016
IN
FIRST APPEAL (ST.) NO.1235 OF 2010**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr.A.R.Patil, A.G.P. for the applicant

**CORAM : K. K. TATED, J
DATE : APRIL 1, 2019**

P.C.:

. Heard.

2 Though Respondent nos.2 and 3 are duly served, no one appeared on behalf of them when the matter was called out.

3 Civil Application stands abated against Respondent no.1 as per Registrar's order dated 26.02.2019.

4 The learned A.G.P. for the Applicant submits that there is a delay of 9 years 75 days in filing First Appeal before this court. He

submits that before filing First Appeal in this court, they have to take sanction from several departments. Hence, there is a delay on their part in filing appeal. He submits that they have good chance of success in the present proceedings. He submits that in the interest of Justice, this Hon'ble Court be pleased to condone the delay in filing First Appeal and matter be heard on its own merits. He submits that if delay is not condoned, irreparable loss will be caused to them.

5 In the present proceedings, Special Land Acquisition Officer issued notification under section 4 of the Land Acquisition Act dated 18.11.1997 for acquiring Respondent original Claimants land from village Palapur, Taluka Akkalkot, District Solapur for the purpose of percolation tank. After following due process of law Special Land Acquisition Officer declared award dated 1.1.1983 and awarded compensation of Rs.47,884/-. Being aggrieved by the said award, Respondent original Claimant preferred Reference under section 18 of the Land Acquisition Act. In the said reference, Reference Court awarded additional compensation in respect of land to the tune of Rs.32,715/-. Hence, the Applicant filed the present First Appeal.

6 It is to be noted that bare reading of Civil Application shows that Applicant failed to disclose sufficient cause for condonation of more than 9 years in filing First Appeal.

7 In any case, additional compensation awarded by Reference Court is only to the tune of Rs.32,715/-.

8 Considering these facts, I do not find any reason to entertain the present Civil Application.

9 Hence, Civil Application stands rejected.

(K.K.TATED, J.)