

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

CIVIL APPLICATION NO.4196 OF 2021 IN FAST/22761/2020

PRABHAKAR SHIVRAM BAGADE AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER-1 UPPAR TAPI
PRAKALP HATNOOR, JALGAON AND ANOTHER

WITH

CA/4197/2021 IN FAST/22754/2020

LATE SHANU SKHARAM KOJAGE THROUGH LRS.
PRALHAD SHANU KOJAGE AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER-1 UPPAR TAPI
PRAKALP HATNOOR, JALGAON AND ANOTHER ANOTHER

WITH

CA/4198/2021 IN FAST/22770/2020

LATE SUKADEO ANDHARU KOJAGE THR LRS. HIRAMAN
SUKDEO KOJAGE AND OTHERS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER-1 UPPAR TAPI
PRAKALP HATNOOR, JALGAON AND ANOTHER ANOTHER

WITH

CA/4200/2021 IN FAST/22777/2020

LATE VASANT KISAN KOJAGE THROUGH LRS. ASHABAI
VASANT KOJAGE AND ANOTHER
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER-1 UPPAR TAPI
PRAKALP HATNOOR, JALGAON AND ANOTHER ANOTHER

WITH

CA/4201/2021 IN FAST/22745/2020

LATE SUPADU SAKHARAM KOJAGE THR LRS. DEOCHAND
SUPADU KOJAGE AND OTHERS

VERSUS

THE SPECIAL LAND ACQUISITION OFFICER-1 UPPAR TAPI
PRAKALP HATNOOR, JALGAON AND ANOTHER ANOTHER

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Mr. M.M. Bhokarikar, Advocate for the Applicants in all CAs
Mr. P.M. Kulkarni, AGP for Respondent No.1 in all CAs
Mr. Subhash Chillarge, Advocate for Respondent No.2 in all CAs

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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 17th NOVEMBER, 2021

PER COURT:-

1. These are the applications for condonation of delay moved by the applicants / original claimants. There seems to be delay of 96 days in preferring the first appeals.

2. Heard Mr. M.M. Bhokarikar, learned counsel for the applicants and Mr. Subhash Chillarge, learned counsel for respondent no.2 and Mr. P.M. Kulkarni, learned AGP for respondent no.1 in all civil applications.

3. For the reasons stated in the applications for condonation of delay in para 3, and looking to the arguable points involved in the appeals, the delay needs to be condoned.

At the same time, the applicants shall not be entitled to get statutory benefits as well as the amount of interest as provided in the Land Acquisition Act, 1894 for the delayed period. Hence, the following order:-

ORDER

- (i) The applications for condonation of delay moved by the applicants / original claimants are hereby allowed.
- (ii) The applicants / original claimants shall furnish undertaking that they would not claim the statutory benefits as well as the amount of interest as provided in the Land Acquisition Act, 1894 for the delayed period condoned today by this Court.
- (iii) The Registry is directed to register the appeal after due scrutiny as per procedure and thereafter it be placed before the Court for admission.
- (iv) The civil applications are disposed of accordingly.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane