

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

928 CIVIL APPLICATION NO.12334 OF 2019
IN FAST/13120/2019

SHARDABAI GANPATRAO BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Jogdand Patil Vijay B.
AGP for Respondents – State : Mr. S. R. Yadav - Lonikar
Advocate for Respondent No. 3 : Mr. Ruturaj Patil

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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 04.08.2022

PER COURT :

. The applicant is seeking condonation of delay of 1398 days in filing first appeal against the impugned judgment and award dated 16.03.2015 passed by the learned Civil Judge (Senior Division), Parbhani in L.A.R. No. 69/2011 on the ground that he was in financial crisis.

2. The learned counsel for respondent No. 3 - acquiring body strongly opposed the application mentioning that the acquiring body had also filed an appeal against the impugned award but it was withdrawn by placing before the Lok Adalat

in view of the Government Resolution wherein it is stated that if the amount of compensation is within the four times limit, there is no need to file any appeal.

3. Be that as it may, the applicants have the statutory right challenging award, therefore the Honourable Supreme Court have also observed in many cases that the delay in land acquisition matter is to be dealt liberally.

4. In view of the same and for the reasons stated in the application the delay of 1398 days stands condoned subject to condition that the applicant shall not claim any interest for such delay period.

5. The application stands allowed accordingly.

6. The appeal be placed for admission after removal of office objections, if any.

(SANDIPKUMAR C. MORE, J)
JUDGE

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shp/-