

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

**913 CIVIL APPLICATION NO.8880 OF 2021
IN FAST NO. 20295 OF 2021**

**PANDURANG LAXMAN GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.**

...

Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. S. P. Deshmukh, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**914 CIVIL APPLICATION NO.8908 OF 2021
IN FAST/18019/2021**

**RUTA DEELIP GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.**

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO. 8909 OF 2021
IN FAST NO.18010/2021**

**DEELIP BHAGWAT GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.**

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO.8910 OF 2021
IN FAST NO.18013/2021**

VINOD DATTATRAYA GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO.8911 OF 2021
IN FAST NO.18037/2021**

RAMESH LAXMAN GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO.8912 OF 2021
IN FAST NO.18027/2021**

NAMITA DEELIP GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO.8913 OF 2021
IN FAST NO.18032/2021**

PRAMOD DATTATRAY GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

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**CIVIL APPLICATION NO.8914/2021
IN FAST NO.18007/2021**

AMRUTA DEELIP GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

...

**CIVIL APPLICATION NO.8915 OF 2021
IN FAST NO.18022/2021**

ASHOK DATTATRAYA GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2

...

**CIVIL APPLICATION NO.8916 OF 2021
IN FAST NO.18015/2021**

SUBHASH BHAGWAT GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

...
Mr. Amit S. Deshpande, Advocate for the Applicant
Mr. A. B. Chate, AGP for Respondent No.1/State
Mr. S. G. Sangle, Advocate for Respondent No.2
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CORAM : SHRIKANT D. KULKARNI, J.

DATE : 8th MARCH, 2022

PER COURT : -

1. These are the applications for condonation of delay moved by the respective applicants/original claimants.
2. Heard Mr. A. S. Deshpande, learned counsel for the applicants/original claimants, Mr. S. P. Deshmukh, learned AGP for respondent No.1 and Mr. Sangle, learned counsel for respondent No.2 in respective sides.
3. In civil application No. 8880/2021, there is delay of 754 days and equal volume of delay in rest of the civil applications for condonation of delay.
4. Mr. S. P. Deshmukh, learned AGP for the respondents/State and Mr. S. G. Sangle, learned counsel appearing for the respondent No.2/acquiring body in respective applications strongly opposed to condone the delay. Both of them submitted that no sufficient reasons are

assigned by the applicants for condonation of delay. The civil applications may be rejected.

5. Mr. A. S. Deshpande, learned counsel for the applicants/original claimants seeks leave to place on record a copy of order passed by the Division Bench of this Court in Civil Application No.11433/2021 in First Appeal Stamp No.17756/2021 with connected applications. Leave granted. Copy of order is taken on record and marked as 'X' for identification. He submitted that the Division Bench of this Court was pleased to condone the delay in above referred civil applications and urged to condone the delay in these civil applications. He further submitted that the applicants/original claimants are ready to waive the interest and statutory benefits in respect of delayed period.

6. The Division Bench of this Court in Civil Application No.11433/2021 vide order dated 20th October, 2021 was pleased to condone the delay of 756 days caused in filing the first appeals. The similar view needs to be taken while deciding these applications. These are the applications arising out of compulsory land acquisition matters. A different yardstick needs to be applied while dealing with applications for condonation of delay, in compulsory land acquisition matters, it would not be proper to take hyper technical view.

7. Having regard to the guidelines laid down by the Hon'ble Supreme Court in case of **Dhiraj Singh (D) Tr. Vs. Haryana State**, reported in **MANU/SC/0778/2014**, the delay needs to be condoned in the interest of justice. Hence, the following order:

ORDER

- (i) The applications for condonation of delay moved by the respective applicants/original claimants are hereby allowed on condition that they shall furnish necessary undertaking with the Registrar (Judicial) of this Court stating that they shall not claim the statutory benefits and interest in respect of delayed period, which is condoned today.
- (ii) After furnishing such undertaking, the Registry to make scrutiny of appeals as per the procedure and thereafter, those be numbered and placed before the Court for admission.
- (iii) Civil Applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)