

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

911 CIVIL APPLICATION NO.7371 OF 2021
IN FAST/22968/2020

SHIVPRAKASH SUDAM ADHE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicant
Mr N.T. Bhagat, A.G.P. for respondents no.1 and 2

912 CIVIL APPLICATION NO.7372 OF 2021
IN FAST/22963/2020

SANTOSH SALIKRAO ADHE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicant
Mr S.N. Morampalle, A.G.P. for respondents no.1 and 2

914 CIVIL APPLICATION NO.7374 OF 2021
IN FAST/23037/2020

MADAN SANATAN ADHE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicant
Mr S.N. Morampalle, A.G.P. for respondents no.1 and 2

915 CIVIL APPLICATION NO.7375 OF 2021
IN FAST/23029/2020

TUKARAM RAMA RATHOD AND ANR
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicants
Mr S.P. Deshmukh, A.G.P. for respondents no.1 and 2

916 CIVIL APPLICATION NO.7377 OF 2021
IN FAST/23079/2020

DIGAMBAR PANDURANG ADHE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicant
Mr N.T. Bhagat, A.G.P. for respondents no.1 and 2

917 CIVIL APPLICATION NO.7378 OF 2021
IN FAST/23013/2020

ANIK BUDHAJI ADHE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR, JALNA AND
OTHERS

Mr B.S. Dhawale, Advocate for applicants
Mr S.N. Morampalle, A.G.P. for respondents no.1 and 2

918 CIVIL APPLICATION NO.7379 OF 2021
IN FAST/22971/2020

JALINDHAR TUKARAM RATHOD AND ANR
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND ORS

Mr B.S. Dhawale, Advocate for applicants
Mr S.P. Deshmukh, A.G.P. for respondents no.1 and 2

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 6th April, 2022

PER COURT :

1. These are the applications for condonation of delay moved by the respective applicants/original claimants. The delay in all the matters ranges between 172 to 717 days.
2. Heard Mr B.S. Dhawale, learned Advocate for applicants and respective A.G.P.s for respondents no.1 and 2/State. Respondent no.3/4/Acquiring body though duly served remained absent when the matters are called out.
3. Learned A.G.P.s have strongly opposed to condone the delay. They submitted that the applicants have not assigned sufficient reasons for condonation of delay.

4. On the other hand, Mr B.S. Dhawale, learned Advocate for the applicants/claimants submitted that these are the cases arising out of compulsory land acquisition. The applicants could not prefer the appeals in time due to their poor financial condition. The delay was not intentional. He urged to allow the applications.

5. After considering the submissions of both the sides and having regard to the guidelines laid down by the Honourable Supreme Court in case of **Dhiraj Singh (D) Tr. Vs. Haryana State**, reported in **MANU/SC/0778/2014**, the delay needs to be condoned. At the same time, the applicants need to waive the statutory benefits and interest for the delayed period and they have to furnish undertakings to that effect.

ORDER

(i) The Civil Applications are hereby allowed in terms of prayer clause (B).

(ii) The applicants/original claimants shall furnish undertakings with the Registrar (Judicial) of this Court stating therein that they would not claim statutory benefits and interest in respect of delayed period.

(iii) After furnishing such undertakings, the Registry to make the scrutiny of the appeals and thereafter the appeals be numbered and placed before the Court for admission.

(iv) The Civil Applications are accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)