

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1069 OF 2016
IN
FIRST APPEAL NO.1103 OF 1995

Shri.Raghuttam V. Kulkarni

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr.H.D. Chavan i/b Mr.T.D. Deshmukh, for the Applicant.
Ms.Tanaya Goswami, AGP for the Respondent-State.

CORAM : S.G. DIGE, J.

DATE : 12 DECEMBER 2022

P.C:-

. Heard the learned counsel for the Applicant and the learned AGP.

2. The learned counsel for the Applicant submit that the Applicant had filed Appeal for enhancement of compensation against the impugned order of Reference Court before this Court. The said Appeal is dismissed as per order of this Court dated 26 September 2014 as office objections are not removed.

3. The learned counsel for the Applicant further submit that the Applicant was in impression that he has removed all

office objections, hence, he could not take steps within the stipulated time. The Applicant is farmer he has not received sufficient compensation, hence, requested to allow the Application.

4. The learned AGP submit that inspite of sufficient opportunities given to the Applicant, the Applicant could not remove the office objections within reasonable time. Hence, the Applicant is not entitled for restoration of Appeal and requested to dismiss the Application.

5. I have heard both the learned counsel.

6. Considering the submissions of both learned counsel and the reasons mentioned in the Application, the Application is allowed. The order passed by this Court dated 26 September 2014 is recalled. The Appeal is restored.

7. The Applicant to remove office objections within four weeks.

8. The delay for filing this Application, if any, is condoned.

(S.G. DIGE, J.)