

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

**959 CIVIL APPLICATION NO.17143 OF 2022
WITH
FAST/10117/2021**

**UTTAM TRIMBAK KADAM (DIED) THR LRS BHAGIRATHIBAI
AND ORS
VERSUS
SPECIAL LAND ACQUISITION OFFICER, JAYAKWADI
PRAKALP, AURANGABAD AND ANOTHER**

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**Advocate for Applicants:
Mr. Pahune Patil Nandkishor J.
AGP for Respondent/State: Mr. S. B. Pulkundwar**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 31st OCTOBER, 2023

PER COURT:

1. Heard.

2. Although respondent no.2 / Acquiring Body
is served, none appears.

3. The learned counsel for the applicants
submits that the applicants are poor
agriculturists and that their lands are
compulsorily acquired. The learned counsel further
submits that the applicants would not claim

interest and statutory benefit for the delayed period.

4. The learned AGP opposes the application for condonation of delay.

5. In view of the submissions made by the learned counsel appearing for the applicants, delay of 1039 days is condoned, subject to the condition that the applicants will not be entitled for interest and statutory benefit for the delayed period. The civil application for condonation of delay stands disposed of.

6. The First Appeal is **admitted**. On admission, the learned AGP waives notice for respondent no.1. Call R & P. Office objections, if any, to be removed within a period of four (04) weeks from today.

[ARUN R. PEDNEKER, J.]

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