

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

934 CIVIL APPLICATION NO.14098 OF 2022
IN FAST/25264/2022 WITH CA/14092/2022 IN FAST/25185/2022

**BALIRAM RANGNATH JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, LATUR
AND ANOTHER**

...

Advocate for Applicants : Mr. Irale Eknath G.
AGP for Respondents: Mr. P.M. Kulkarni.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH AUGUST, 2023

ORDER :-

Heard learned counsel for the parties.

2. Mr. Irale, the learned counsel for the applicants submit that the applicants are agriculturists and have lost their lands on account of compulsory acquisition. Due to poverty and for want of appropriate legal advice, they could not approach this court within the stipulated time. Further, the compensation amount as per the award of the Reference Court is received in the month of June, 2022. As such, the applicants could file the appeal after getting the necessary funds. They are litigating for getting market value for their acquired land. He further submits that if this court considers their request for condonation of delay, the applicants shall not claim any interest and statutory benefit for the delayed period.

3. The learned AGP for the respondents vehemently opposes

the application stating that the delay is not properly explained.

4. Since the applicants are litigation for the just compensation of their acquired land and the fact that they are agriculturist and rustic persons, it would be appropriate to condone the delay, however, subject to certain conditions. Hence, the following order.

-: O R D E R :-

[i] Civil applications are allowed.

[ii] Delay caused in filing the appeals is condoned subject to condition that the claimant shall not be entitled to claim interest and statutory benefits for the delayed period and file an undertaking to that effect to the satisfaction of the Registrar (Judicial) of this Court within a period of two weeks from today.

[iii] Civil applications stand disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-