

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

**CIVIL APPLICATION NO.1119 OF 2023 IN  
REJECTED CASE NO.825 OF 2007 IN  
FIRST APPEAL ST. NO. 12493 OF 2007**

Baburao Dayaram Mahajan (died)  
Janabai Baburao Mahajan (died)  
through L. Rs.

Applicants

Versus

The Special Land Acquisition  
Officer, Upper Tapi Project, Hatnur-1,  
Jalgaon & another

Respondents

Mr. A. B. Kale, advocate for the Applicants  
Mr. S. N. Kendre, AGP for Respondent No.1.

**CORAM : SANDIPKUMAR C. MORE, J.**

**DATE : 07<sup>th</sup> February, 2023.**

**PC :**

Heard rival submissions.

The applicants are seeking setting aside the order dated 07.08.2007, passed by the Registrar (J) of this Court, whereby registration of their First Appeal was refused for non removal of office objections.

It is significant to note that the appeal memo and annexures are also destroyed since the applicants did not take diligent steps to restore the matter earlier. Moreover,

there is also huge delay of 5566 days. Under such circumstances, certain cost needs to be imposed upon the applicants for their negligent approach.

As such, the order dated 07.08.2007 stands quashed and set aside and the First Appeal of the applicants is restored to its original stage i.e. for removal of office objections. The applicants shall remove all the office objections within three weeks from the date of this order. They shall also deposit cost of Rs.2000/- (Rs. Two Thousand) payable to Bar library of Advocates' Association of Bombay High Court at Aurangabad. Removal of office objections and deposit of cost shall be condition precedent for such restoration. It is further directed that the applicants shall not be entitled for any interest for the aforesaid period of delay of 5566 days if any enhancement of compensation is granted to the applicants in their appeal.

Civil Application is disposed of.

**(SANDIPKUMAR C. MORE)**  
**JUDGE**