



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

**103 CIVIL APPLICATION NO.12989 OF 2023 IN CA/8413/2022
IN FAST/1473/2022**

**VENUBAI KADUBA PATIL AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH S.L.A.O.
MINOR IRRIGATION JALGAON AND ORS**

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Advocate for Applicants : Mr. Patil Vinod Prakash
AGP for Respondent Nos. 1 and 2 : Ms. M.L.Sangit
Advocate for Respondent No.3 : Mr. A.G. Vasmatkar

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CORAM : ARUN R. PEDNEKER, J.

DATE : 04.12.2023

P.C. :

- 1] Heard the learned counsel for the parties.
- 2] The present application is filed for restoration of the appeal with a prayer to condone the delay of 325 days in filing the restoration applications.
- 3] The appeal was dismissed vide order dated 19.10.2022 by this Court for non removal of the office objections.
- 4] The learned counsel for the applicants submits that the applicants are poor agriculturists and their lands are compulsorily acquired. Learned counsel further submits that the applicants would not claim interest and statutory benefit for the delayed period of filing the restoration application.

5] The learned counsel appearing for the acquiring body – respondent no.3 has strongly opposed the application for condonation of delay.

5] Having heard the learned counsel for the parties, I deem it appropriate to condone the delay of 325 days in filing the restoration application, subject to condition that the applicant would not be entitled to interest and statutory benefit for the delayed period.

7] The appeal is restored and the order dated 19.10.2022 passed by this Court is recalled to the extent of present applicants.

8] Office objections, if any, to be removed within a period of eight (08) weeks from today.

9] The civil application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

S.P.Rane