

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 CIVIL APPLICATION NO.4051 OF 2020
IN FAST/34356/2018

BHAVLAL KONDAJI (DIED) THR LRS UTTAM AND ORS
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER JAIKWADI
PROJECT AURANGABAD AND ANR

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Advocate for Applicant : Mr Abhishek M. Hajare
AGP for Respondent No.1/State : Mr P.K. Lakhotiya

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 24-02-2023

PER COURT :

1. Heard.
2. The learned advocate appearing for the applicant would submit that in connected cases, the applications seeking delay condonation are allowed by this Court. He placed on record the copies of orders passed in Civil Application No. 1713 of 2020 in First Appeal Stamp No. 34505 of 2018 as well as Civil Application No. 7539 of 2016 in First Appeal Stamp No. 30541 of 2015. He would submit that the similar order may be passed in the present application. He would further urge that the delay caused in filing the appeal is duly explained.
3. The learned AGP opposes the application. However, he does not dispute that in connected matters arising out of same land acquisition proceedings similar delay has been condoned.

4. Having heard the learned advocates appearing for the respective parties, it can be observed that the similarly situated applicants are extended benefit of delay condonation in the respective appeals subject to condition that the applicants would not be entitled to claim the interest on the enhanced amount of compensation if their appeals are allowed.

5. The civil application is allowed in aforesaid terms.

6. The delay caused in filing the first appeal is condoned.

7. The appeal be registered.

[S.G. CHAPALGAONKAR, J.]

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