

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 40/2022 IN
FIRST APPEAL STAMP NO. 9152/2021

Bebi Wd/o Keshao Zade And Others

Vs

State Of Maharashtra Thr. Its Secretary, Ministry Of Urban
Development Department, Mumbai And Ors

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr S.J.Parate, counsel for the applicants/appellants.

Mr M.A. Kadu, AGP for the Non-applicant Nos. 1,4 and 5.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 31/03/2023.

1. Heard.
2. The application is for condonation of delay on the ground that as the land of the applicants were acquired by the Government under the compulsory acquisitions and the Land Acquisition Officer has not awarded the adequate compensation amount therefore, he preferred the reference petition.
3. The learned reference Court has also awarded inadequate compensation. However, the applicants were not aware about the legal provisions and therefore, the delay is caused.
4. In view of the reasons mentioned in the application, delay of 804 days is condoned, subject to the waiver of the interest for the said delayed period.

Civil application is disposed of.

First Appeal St. No. 9152/2021

1. First Appeal be registered.
2. **Admit.**
3. Mr M.A. Kadu, learned AGP waives service of notice on behalf of non-applicant Nos. 1,4 and 5.
4. Call for record and proceedings.
5. Appellants to file private paper-book within a period of ten weeks after receipt of record and proceedings.
6. Appeal be placed before the Court after filing of private paper-book and its verification.
7. Issue notices to the respondent Nos. 2 and 3 on merit.

JUDGE