

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CIVIL APPLICATION NO.20 OF 2023

IN

FIRST APPEAL (ST.) NO.10465 OF 2022

(Mahadeorao s/o Shankarrao Ingole (dead) thr. L.R's and ors. Vs. The State of Maharashtra
and ors.)

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

Court's or Judge's Order

Shri P.S. Kshirsagar, Advocate for the appellants.
Shri K.R. Lule, Advocate h/f Shri T. Zaheer, Advocate for respondent No.3.
Ms Udeshi, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- MARCH 30, 2023.

Heard.

2. Leave is granted to the appellant to correct the title clause wherein it is mentioned that First Appeal No.20/2023 instead of Civil Application No.20/2023.

3. Present application is filed for condonation of delay of 28 days which is caused in preferring the appeal. The grounds raised by the appellant is that the appellant was the owner of the plot situated at village Kund Khurd which was acquired by the Government under the compulsory acquisition. However, inadequate amount of compensation was awarded by the Land Acquisition Officer as well as by the Reference Court, and therefore, present appeal is preferred for enhancement of compensation. However, he could not arrange the amount to pay for court fee stamp, therefore, delay is caused. There is sufficient and reasonable cause for condonation

of delay.

4. Said application is strongly opposed by the learned Assistant Government Pleader for respondent Nos.1 and 2 and Shri Lule, learned Counsel for respondent No.3 on the ground that the delay is not properly explained.

5. Considering the reasons mentioned in the application and the well settled legal position that while considering the delay application to do the substantial justice, delay is condoned.

6. Civil application is disposed of.

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Heard.

2. **ADMIT.**

3. The appellant to file private paper book within eight weeks after receipt of R. & P.

4. Place the matter after filing of the paper book and its verification, as per its turn.

(URMILA JOSHI-PHALKE, J.)

**Divya*