

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

CIVIL APPLICATION (CAF) NO. 61/2023 IN
FIRST APPEAL STAMP NO. 17532/2022

Shri Devising S/o Haribhau Rathod (Dead) through L.Rs. Smt. Panobai Wd/o Devising Rathod
and others

Vs.

The State of Maharashtra, through District Collector, Special Land Acquisition Officer,
Katepurna-Morna Project, Akola and another

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

Court's or Judge's orders

Shri S.A. Dutonde, Advocate for appellants
Ms H.N. Jaipurkar, AGP for respondent No.1

CORAM : SMT. M.S. JAWALKAR, J.

DATE : 14/06/2023

Heard learned Counsel for appellants and
learned Assistant Government Pleader for respondent No.1.
Though respondent No.2 is served, he chooses to remain
absent.

2. It is submitted that the entire agricultural land of
the applicants was acquired vide award dated 05/05/2022. In
following the award, huge amount of court fee is required
that could not be arranged during the period of limitation. As
such, in arrangement of court fees, some time is consumed
and delay of 57 days is caused.

3. Learned Assistant Government Pleader opposed the application.

4. For the reasons stated in the application, I am satisfied that there are justifiable reason for not filing first appeal within limitation. As such, application is allowed.

5. Delay in filing first appeal is hereby condoned.

6. Office is directed to register First Appeal.

(SMT. M.S. JAWALKAR, J.)