



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

51 CIVIL APPLICATION NO. 1668 OF 2024
IN FAST/3688/2024

PURNBAI DAGU SURASE
VERSUS
THE STATE OF MAHARASHTRA (NEW OFFICE) THR SUB-
DIVISIONAL OFFICER CHH. SAMBHAJINAGR AND ANR

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Advocate for Applicant : Mr. Pahune Patil Nandkishor J.
AGP for Respondents/State : Mr. A.M.Phule
Advocate for Respondent No.2 : Mr. Survase B.R.

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CORAM : KISHORE C. SANT, J.

DATE : 15th JULY, 2024.

PER COURT :

1. This application is for condonation of delay of 2304 days caused in filing the appeal for enhancement of the amount of compensation.
2. The applicant is the original claimant whose land is acquired by the respondents.

3. The reason stated in the application is that the applicant had no knowledge of the limitation. The acquired land was the only source of the livelihood of the applicant as there is no income source other than land.

4. Though the reference was allowed on 10.07.2017 the actual amount of compensation was received in the year 2022. It is only thereafter he decided to file the appeal for enhancement. Considering that this application is by the Claimant, this Court is inclined to allow the application, though the same is resisted by the respondent/Acquiring Body and the State, subject to conditions. Hence this Court is inclined to pass following order :

ORDER

a) The Civil Application stands allowed subject to cost of Rs. 2500/- (Rs. Two Thousand and Five Hundred) in the office of Legal Services Authority, Sub Committee, High Court, Bench at Aurangabad, within two weeks from today.

b) It is further made clear that in case the amount is enhanced by this Court in the appeal, the applicant shall not be entitled to receive

interest on such enhanced amount for the delayed period of 2304 days.

(KISHORE C. SANT)
JUDGE

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