



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1042 CIVIL APPLICATION NO. 1845 OF 2022
IN FAST/6629/2021

Trimbak Gopinath Shinde (died) Thr Lrs Gokul And Anr
VERSUS
The Collector, Aurangabad

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Advocate for Applicant : Mr. Hajare Abhishek M.
AGP for Respondents : Mr. S B Jadhav/ K.B. Jadhavar/ R R
Tandale/ A V Lavte

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AND

1047 CIVIL APPLICATION NO. 7231 OF 2022
IN FAST/24867/2020

Tanha Sampat Shinde (died) Thr Lrs Gangubai And Anr
VERSUS
The Special Land Acquisition Officer Jayakwadi Pro. 2,
Aurangabad And Anr

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AND

1050 CIVIL APPLICATION NO. 8866 OF 2022
IN FAST/9317/2021

Sitaram Totaram Kumawat (died) Thr Lrs Rukhminibai And
Ors
VERSUS
The Collector, Aurangabad And Others

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AND

1051 CIVIL APPLICATION NO. 11727 OF 2022
IN FAST/15852/2022

Shama Ananda Gore
VERSUS
The State Of Maharashtra Thr The Collector, Aurangabad And
Ors

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CORAM : S. G. CHAPALGAONKAR, J.**Dated : August 16, 2024****PER COURT :-**

1. Heard Mr. Hajare, learned advocate for the applicants in all these applications and learned AGP for respondent State. None appears for the acquiring body.

2. Mr. Hajare learned advocate invites attention of this Court to the order dated 21.9.2023 passed in CA No.1599 of 2022 in FAST 41025 of 2019 in case of Bhimrao Shinde Vs. Collector, Aurangabad to contend that, for similar reasons, this Court has condoned the delay of 3300 days caused in filing the first appeal seeking enhancement of compensation. He submits that all those appeals are arising out of the same award. The applicants have elaborated similar reasons in the applications.

3. Learned AGP do not dispute the aforesaid position.

4. Considering the submissions advanced and also considering the fact that applicants are the original claimants, they lost their land in the acquisition and they were required to shift from their original place to other place for rehabilitation, this Court finds that the applications needs to be allowed. The applications are, therefore, allowed. It is made clear that the applicants will not be entitled to receive amount of interest for the delayed period. The applicants shall also file such undertaking within two weeks from today. The filing of the

undertaking shall be condition precedent for taking effect of this order and the said undertaking shall be part of the appeal. Civil applications stand disposed off.

(S. G. CHAPALGAONKAR, J.)

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