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10-CA-13112-2023

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 CIVIL APPLICATION NO. 13112 OF 2023
IN FAST/26625/2023

Mahadeo Laximan Munde And Anr

VERSUS

The State Of Maharashtra Through The Collector Beed And Ors

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Mr. Vilas P. Savant, Advocate for Applicant.

Mr. P. D. Patil, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 6th DECEMBER 2024

PC :-

1. Heard the parties.
2. This application is for condonation of delay of 2575 days caused in filing the appeal.
3. The applicants are the original claimants in the proceedings under Section 18 of the Land Acquisition Act. It is stated in the application that even the Government has filed an appeal bearing First Appeal No.1770 of 2021 challenging the same award to the extent of enhancement of the amount of compensation. The application is

opposed by the claimants.

4. However, considering the reasons stated in the application and the fact that the Government has already preferred an appeal which is pending. This Court is inclined to allow the application. Hence, the following order.

ORDER

- (i) Application is allowed.
- (ii) Delay of 2575 days stands condoned subject to depositing the cost of Rs.2,000/- to be paid to the High Court Dispensary, Aurangabad within a period of four weeks.
- (iii) The applicant shall file specific undertaking/affidavit that the applicant shall not be entitled to claim any interest for the delayed period in case, the appeal is allowed and amount is enhanced.
- (iv) Office to register First appeal after undertaking is filed.
- (v) To be tagged alongwith First Appeal No.1770 of 2021.

[KISHORE C. SANT, J.]