



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**27 CIVIL APPLICATION NO. 11752 OF 2017
IN CRAFT/29265/2017**

SUNDAR NAMDEO MOLAWANE AND ANOTHER
VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR /
DY. COLLECTOR, LAND ACQUISITION AND OTHERS

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Mr. Murge Estling S., Advocate for Applicants

Mr. D. B. Bhange, AGP for Respondent No.1-State

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18/06/2024.

P. C. :

1. Heard rival submissions.
2. The applicants are seeking condonation of delay of 386 days for challenging the order dated 12/05/2016 passed by respondent No.1, whereby their land reference application under Section 18 of the Act has been rejected. According to the applicants their aforesaid application was rejected on the ground of non-deposit of necessary court fees and non-supply of copy of award.
3. The learned counsel for the applicants relied upon order of this court dated 23/01/2019 in connected matter, whereby it has been observed that Collector is not empowered to dismiss the application under Section 18 of the Land Acquisition Act for non-payment of requisite court fees. However, this fact can be considered at the time of hearing the main application on merit.

This is only an application for condonation of delay and therefore, the same is allowed in the interest of justice in terms of prayer clause-B subject to cost of Rs.500/- to be paid to the High Court Registry, Aurangabad for utilization of Dispensary, High Court Court, Aurangabad, within two weeks.

4. The main CRA be registered after deposit of cost.
5. The application is accordingly disposed of.
6. The learned AGP waives service for all the respondents-State in main CRA after its registration.

(SANDIPKUMAR C. MORE, J.)