



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

39 CIVIL APPLICATION NO. 12397 OF 2023
IN FAST/29152/2023

EX. ENGINEER, U.P.C.D. SANGAMNER NOW
U.P.D.D.SANGAMNER UNDER GMIDC AND ANR

VERSUS

KASINATH SITARAM HASE

...

Advocate for Applicant : Mr. Survase B.R.

Advocate for Respondent : Mr. D.A. Bide

...

CORAM : KISHORE C. SANT, J.

DATE : 09 JULY, 2024.

PER COURT :

1. This application is for condonation of delay of 2990 days in filing the appeal.

2. The Acquiring Body has approached this Court by challenging the impugned judgment and award of the Reference Court only to the extent of award of compensation of the trees standing in the land.

3. The application is vehemently opposed by the Original Claimant stating that the Claimant has even filed execution proceeding in the Reference Court and it is only thereafter the Acquiring body decided to file the appeal.

4. He further submits that on merit also the appellant has no case. The compensation is only towards the trees. There is no denial of the said position.

5. The learned Advocate for the Acquiring Body however submits that the compensation awarded for the trees is exorbitant. The appeal is filed only to the extent of compensation awarded for the trees. So far as the compensation for land is concerned, the Acquiring Body has no dispute.

6. After hearing the parties this court is inclined to allow the application, hence the following order :

ORDER

- a) The application stands allowed.

- b) Delay of 2290 days stands condoned.
- c) The Civil Application is disposed off.
- d) Office to register the First Appeal.

(KISHORE C. SANT)
JUDGE

mahajansb/