

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FIRST APPEAL (ST) NO.20703 OF 2021
WITH
INTERIM APPLICATION NO.7040 OF 2024
WITH
INTERIM APPLICATION NO.7039 OF 2024

The State of Maharashtra, (Thr. The Coll. Special Land
 Acqui. Officer, CIDCO Project, Nashik & Anr. ... Appellants/Applicants
 V/s.

Motiram Tanaji Aher ... Respondent

Mr. A. R. Patil, Add, GP for Applicants/Appellants-State.

CORAM : ARIF S. DOCTOR, J.

DATE : 6th DECEMBER 2024

P.C. :

INTERIM APPLICATION NO.7039 OF 2024:

1. The Interim Application seeks condonation of delay in filing of the captioned First Appeal. Having regard to the averments made in the Interim Application, the delay is condoned as prayed for in terms of prayer clause (b) of the Interim Application.

2. The Interim Application is disposed of.

3. In view of the above, the First Appeal is taken up for hearing.

FIRST APPEAL (ST) NO.20703 OF 2021.

4. The captioned First Appeal challenges the enhancement of compensation,

which has been granted to the Respondent. Since it is observed that the enhanced amount is very meagre, this Court is not inclined to interfere with the impugned Order.

5. Hence, the First Appeal is accordingly dismissed.

6. It is made clear that the Court has not disposed of or decided this First appeal on merits. Hence, the dismissal of this First Appeal shall not have bearing on any other First Appeals and thus the First Appeal is disposed of. Keeping in mind the peculiar facts and circumstances of the present case, this Order shall not be treated as precedent in other place of challenged to compensation/enhancement.

7. Needless to state that the Respondents shall always be at liberty to make an application for withdrawal of the compensation amount.

8. In view of dismissal of the First Appeal, pending Applications, if any, shall stand disposed of.

(ARIF S. DOCTOR, J.)