



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Application (CAF) No. 1187 of 2024 in First Appeal St. No. 23957 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Anant s/o Manikrao Dhawad]
with

Civil Application (CAF) No. 1193 of 2024 in First Appeal St. No. 24210 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Shriram S/o Madhavrao Raut]
with

Civil Application (CAF) No. 1188 of 2024 in First Appeal St. No. 25176 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Sheshrao Santoshrao Choudhari
(dead) through L.Rs. Inubai Sheshrao Chaoudhari and ors.]

with

Civil Application (CAF) No. 1189 of 2024 in First Appeal St. No. 24056 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Arun S/o Narayan Dakhole]
with

Civil Application (CAF) No. 1186 of 2024 in First Appeal St. No. 25208 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Namdeorao Pundlikrao Gedam
(dead) through L.Rs. Shakuntalabai Namdeorao Gedam and ors.]

with

Civil Application (CAF) No. 1192 of 2024 in First Appeal St. No. 25206 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Santosh S/o Bhanji Lawankar]
with

Civil Application (CAF) No. 1190 of 2024 in First Appeal St. No. 24023 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Govinda S/o Kothiram
Yenurkar]

with

Civil Application (CAF) No. 1191 of 2024 in First Appeal St. No. 25203 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Shri Madhukar S/o Bhaiyaji
Chinchmalatapure]

with

Civil Application (CAF) No. 1194 of 2024 in First Appeal St. No. 24043 of 2015 (D)

[The State of Maharashtra through Collector, Nagpur and ors. ..vs.. Smt. Indirabai w/o Bhagwatrao
Gayakwad]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. C. R. Najbile, Advocate for the applicant/s /original respondents
Ms. D. V. Sapkal, AGP for the State/appellants

CORAM : ANIL L. PANSARE J.

DATED : 02-05-2024

Vide order dated 24-1-2024, this Court has rejected the applications filed by the State of Maharashtra seeking to condone delay ranging from 800 to 900 days in filing appeals against the award passed in land acquisition cases. While doing so, the claimants,

who are before the Court, were permitted to withdraw the balance amount of compensation deposited by the State, upon filing solvent surety to the satisfaction of the Registrar(Judicial).

Learned counsel for the applicants/claimants submits that the State has not challenged this order and, therefore, has attained finality. In that sense, the refusal to register first appeals has attained finality. Consequently, learned counsel submits that the claimants are entitled to receive the amount of compensation deposited by the State with this Court. The condition of filing solvent surety may be relaxed accordingly.

In view of the above and for the reasons set out in the applications, the applications are allowed. Condition imposed by this Court directing claimants to file solvent surety to withdraw the balance amount of compensation is relaxed. The claimants are permitted to withdraw the balance amount along with interest accrued thereon, upon furnishing usual undertaking.

The applications are disposed of in above terms.

(Anil L. Pansare, J.)