



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION NO.1542/2024 IN FIRST APPEAL ST. NO.25202/2015 (D)
State of Maharashtra and Ors. .Vs. Munnasingh Babulsingh Thakur

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 applicants.
A.G.P. for non applicants-State.

CORAM : ANIL L. PANSARE, J.
DATE : AUGUST 29, 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 claimant, who is before the Court, was 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 applicant/claimant 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 claimant is 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 application, the application is allowed. Condition imposed by

this Court directing claimant to file solvent surety to withdraw the balance amount of compensation is relaxed. The claimant is permitted to withdraw the balance amount along with interest accrued thereon, upon furnishing usual undertaking.

The application is disposed of in above terms.

(Anil L. Pansare, J.)

Kahale