



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

CIVIL APPLICATION NO. 2758 OF 2024
IN FIRST APPEAL ST. NO. 23964 OF 2015 (D)
(The State of Maharashtra & Ors. Vs. Shamrao Santosh Pandube)

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

Court's or Judge's orders.

Ms D.I. Charlewar, A.G.P for the appellants/State.
Shri C.R. Najbile, Counsel for the applicant/respondent.

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CORAM : ANIL L. PANSARE, J.
OCTOBER 14, 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).

2] The 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, the 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.

3] 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.

4] The application is disposed of in above terms.

(ANIL L. PANSARE, J.)

Sumit