



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 3959 OF 2013
IN FAST/1154/2013**

The State Of Maharashtra And Ors. .. Applicants

Versus

Dnyanoba Shriram Dahiphale And Ors. .. Respondents

**WITH
CIVIL APPLICATION NO. 3961 OF 2013
IN FAST/1154/2013**

The State Of Maharashtra And Ors. .. Applicants

Versus

Dnyanoba Shriram Dahiphale And Ors. .. Respondents

**WITH
FIRST APPEAL (STAMP) NO. 1154 OF 2013**

The State Of Maharashtra And Ors. .. Appellants

Versus

Dnyanoba Shriram Dahiphale And Ors. .. Respondents

Mr. R. B. Dhaware, AGP for the Applicants/Appellants.

**CORAM : KISHORE C. SANT, J.
DATE : 10th SEPTEMBER, 2025.**

PER COURT :-

CIVIL APPLICATION FOR CONDONATION OF DELAY :

1. In spite of service, none appears for respondents.
2. This application is for condonation of delay of 1393 days caused in filing the appeal. For the reasons stated in the application, delay stands condoned. Civil application is allowed. Office to register first appeal.

FIRST APPEAL :

1. The present appeal is filed challenging judgment and award dated 18.12.2008 passed by the learned Joint Civil Judge Senior Division, Ahmedpur in L.A.R. No. 98/2002. By way of impugned judgment and order the learned Trial Judge has enhanced the amount of compensation by granting rate of Rs. 80,000/- per H whereas, the learned S.L.A.O. had granted rate of Rs. 30,000/- per H. The land of the respondents-claimants came to be acquired for percolation tank at Molavanwadi. The total land of the claimants came to be acquired is 50 R from Survey No. 60/1/4.
2. The State has taken a decision vide Government Resolution dated 03.11.2016 and Corrigendum dated 23.02.2017 not to file appeals where the amount of enhancement by the learned

Reference Court is less than four times of the amount awarded by the learned S.L.A.O. In case, appeals are filed, the said appeals be withdrawn. In the present case, this Court finds that the learned S.L.A.O. had awarded rate of Rs. 30,000/- per H. The amount of enhancement is less than four times. The learned AGP also could not point any illegality or perversity in the impugned judgment and award. Considering this, this Court finds that, no purpose would be served by keeping the appeals pending.

3. Thus, this Court finds that the appeal deserves to be dismissed and the same is dismissed. No order as to costs.

4. Pending civil applications, if any, also stand disposed of.

(KISHORE C. SANT, J.)

P.S.B.