



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

**CIVIL APPLICATION NO. 3822 OF 2013
IN FAST/3033/2013**

The State Of Maharashtra And Others .. Applicants

Versus

Ramdas Namdev Lohar .. Respondent

WITH

**CIVIL APPLICATION NO. 3823 OF 2013
IN FAST/3033/2013**

The State Of Maharashtra And Others .. Applicants

Versus

Ramdas Namdev Lohar .. Respondent

WITH

FIRST APPEAL (STAMP) NO. 3033 OF 2013

The State Of Maharashtra And Others .. Appellants

Versus

Ramdas Namdev Lohar .. Respondent

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. This application is for condonation of delay caused in filing

the first appeal by the State Government. Delay is of 1173 days.

2. Though the service is incomplete, this Court finds that, since the matter is pending since 2009 and as this Court is not convinced on merits, this Court is taking up the application.

3. For the reasons stated in the application, delay is condoned. Civil application stands allowed.

FIRST APPEAL :

1. This appeal is filed challenging judgment and order passed by the learned C.J.S.D., Jalgaon dated 14.08.2009 in L.A.R. No. 433/2005. The appellant is the State who has acquired the land of respondent-claimant for submergence area of Waghur Dam. A notification under section 4 was issued on 18.09.1999. Award was passed on 03.04.2002. The learned S.L.A.O. granted rate of Rs. 494/- per Sq.mtr. The same is enhanced to Rs. 600/- per Sq.mtr.

2. The Government of Maharashtra vide Government Resolution dated 03.11.2016 and Corrigendum dated 23.02.2017, took a decision not to file appeals where the amount enhanced 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less than four times of the amount awarded by the learned S.L.A.O. In case, appeals are filed, the said appeals be withdrawn. The present matter is governed by the said decision. Keeping this matter pending would be of no use. Therefore, this Court is dismissing the appeal.

3. The first appeal is thus dismissed. Pending civil application, if any, also stand disposed of.

(KISHORE C. SANT, J.)

P.S.B.