



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO. 3900 OF 2024
IN FAST/3731/2024

RAJARAM GANPATI NUKULWAD DIED THR LRS DILIP RAJARAM
NUKULWAD AND ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE DISTRICT
COLLECTOR NANDED AND ORS.

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Mr. G. N. Chincholkar, Advocate for the Applicants

Mr. V. S. Badakh, AGP for the Respondent Nos.1 and 2-State

Mr

....

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 02.05.2025

PER COURT :-

. Heard learned Advocate appearing for the Applicants
and learned AGP appearing for respondent Nos. 1 and 2. Although
respondent No.3 is served, none appears.

2. The applicants is seeking to condone the delay of
3777 days caused in filing the appeal against the award passed by
the Reference Court under land acquisition.

3. Perused the application. The applicants state that
some of the landowners from the same acquisition have filed
appeals, and further enhancement has been granted by this Court

in those cases. It is further stated that, due to the COVID-19 situation and financial difficulties, the applicants were unable to approach this Court in time, and as such, the delay has been occasioned.

4. Considering the submissions advanced and the fact that the applicants are litigating for getting just compensation of acquired land and the law laid down by the Hon'ble Supreme Court in the case of *Suresh Kumar Vs. State of Haryana and Others*, 2025 INSC 550, the application deserves to be allowed subject to certain conditions. Hence, following order:

::ORDER::

- a. Civil application is allowed.
- b. Delay of 3777 days caused in filing appeal is hereby condoned. Appeal be registered subject to condition that applicants file an undertaking to Registrar (Judicial) of this Court stating that they shall not claim interest and statutory benefits for the delayed period on enhanced compensation, in case, their appeal is favourably considered. Such an undertaking to be filed within a period of ten (10) weeks from today and shall be made part of the compilation.

[S. G. CHAPALGAONKAR, J.]

HRJadhav