



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

**945 CIVIL APPLICATION NO. 3970 OF 2024
IN FAST/6652/2024**

Pandit Meharban Adhe (died) Thr. Lrs Shantabai Pandit Adhe
And Ors

VERSUS

The State Of Maharashtra Through Special Land Acquisition
Officer, (m.i.w.), Jalna.

AND

**946 CIVIL APPLICATION NO. 3979 OF 2024
IN FAST/5668/2024**

Omkar Shankar Aadhe

VERSUS

The State Of Maharashtra Through Special Land Acquisition
Officer (m.i.w.) Jalna And Ors

AND

**947 CIVIL APPLICATION NO. 3987 OF 2024
IN FAST/5663/2024**

Gorakh Dharma Adhe

VERSUS

The State Of Maharashtra Through Special Land Acquisition
Officer (m.i.w.) Jalna And Ors

AND

**948 CIVIL APPLICATION NO. 3995 OF 2024
IN FAST/5672/2024**

Sagarabai Dharma Adhe

VERSUS

The State Of Maharashtra Through Special Land Acquisition
Officer (m.i.w.) Jalna And Ors

WITH

**CIVIL APPLICATION NO. 3996 OF 2024
IN FAST/5674/2024**

Rajesh Tulshiram Adhe

VERSUS

The State Of Maharashtra Through Special Land Acquisition
Officer (m.i.w.) Jalna And Ors

AND

**949 CIVIL APPLICATION NO. 4080 OF 2024
IN FAST/5692/2024**

Baba Meherban Adhe Died Thr Lrs Chandabai Baba Adhe And
Ors

VERSUS

The State Of Maharashtra Throuh Special Land Acquisition
Officer (lasica) Jalna And Ors

WITH

**CIVIL APPLICATION NO. 4081 OF 2024
IN FAST/5694/2024**

Shamrao Sitaram Rathod Died Thr Lrs Radhabai Shamrao
Rathod And Ors

VERSUS

The State Of Maharashtra Throuh Special Land Acquisition
Officer (lasica) Jalna And Ors

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Mr. S. M. Kakde, Advocate f or Applicants

Mr. S. S. Dande, AGP for Respondents-State

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CORAM : AJIT B. KADETHANKAR.

DATED : 16TH SEPTEMBER, 2025

ORDER :-

. These are the Civil Applications for condonation of delay caused in filing the First Appeals. All the first appeals are filed by the claimants for enhancement in the award granted by the learned Reference Court in the respective Land Acquisition References as mentioned below:

C.A. No.	First Appeal St. No.	L.A.R. No.	Days of delay	Decision Date	Authority
3970/2024	6652/2024	793/2011	2725	08.06.2016	3 rd Joint Civil Judge, Senior Division, Jalna.
3979/2024	5668/2024	795/2011	2705	22.06.2016	
3987/2024	5663/2024	805/2011	2670	27.07.2016	
3995/2024	5672/2024	796/2011	2707	20.06.2016	
3996/2024	5674/2024	809/2011	2707	20.06.2016	
4080/2024	5692/2024	799/2011	2709	18.06.2016	
4081/2024	5694/2024	800/2011	2709	18.06.2016	

2. The respective applicants submit that their source of earning and livelihood has been taken away due to compulsory acquisition of their property. That, very meager amount was awarded to the applicants by the Competent Authority. That even, the learned Reference Court has also not granted adequate enhancement to the applicants. Hence, present First Appeals are filed by the applicants. However, due to lack of legal knowledge, general awareness of the proceedings and poor financial condition despite a wish to get enhanced compensation, they could not approach for legal advise, nor could they file the present appeals well within limitation or at the earliest thereafter. With this, the applicants seek condonation of delay caused in filing present appeals.

3. Per contra, the respondents oppose condonation of the delay, contending that the applications and appeals are filed afterthought and they are filed with sole object to earn more money on sympathy.

4. Upon having heard the parties, I am of the considered view that enhancement by way of First Appeal is a statutory right of claimant. The farmers, whose agricultural land has been acquired, must get adequate opportunity to claim for adequate and proportionate enhancement in the compensation. For that, technicality of delay must not be a hurdle.

5. Profitable reference can be made to the judgment and order passed by the Supreme Court in the case of **Suresh Kumar Vs. State of Haryana and ors., (Civil Appeal arising out of (C) No.670/2020) and connected matters decided on 23.04.2025.** Their Lordships, after considering series of judgments, have observed in paragraph 11, as follows :-

“11. In all judgments referred supra, the common thread that can be observed is that delay is not a reason to deny the land losers their compensation, which is just, fair and reasonable for the land they have lost.”

6. Thus, for the reasons stated above, I am inclined to condone the delay, caused in filing the First Appeal. Hence, following order:

ORDER

- a. Respective delays caused in filing First Appeals are hereby condoned.
- b. Appellants/Applicants shall not claim any benefit or statutory interest for the delayed period.
- c. Civil Applications stand allowed.
- d. Registry to register the appeals, subject to removal of office objections, if any, by the applicants/appellants within two weeks from today.

FIRST APPEALS

. Subject to removal of all office objections, issue notice to the respondents, returnable on 14.10.2025. Learned AGP waives service of notice for respondents-State.

2. Call Record and Proceedings.

(AJIT B. KADETHANKAR, J.)