

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

935 CIVIL APPLICATION NO. 5782 OF 2022
IN FAST/6438/2020

Digambar Nivarti Jagtap

Versus

The State of Maharashtra And Ors

.....

AND

CIVIL APPLICATION NO. 5784 OF 2022
IN FAST/6668/2020

Machindra Sopan Jagtap (died)

Thr LRS Kalawati and Ors

Versus

The State of Maharashtra And Ors

.....

AND

CIVIL APPLICATION NO. 5783 OF 2022
IN FAST/6666/2020

Anirudra s/o. Nivarti Jagtap

Versus

The State of Maharashtra And Ors

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In all the matters :

Shri. Laxmikant C. Patil, Advocate for the Applicants

Shri. D. J. Patil, AGP for Respondent Nos.1 & 2

Shri. S. D. Bhadkar h/f. Shri. B. V. Virdhe, Advocate for Respondent No.3

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CORAM : NEERAJ P. DHOTE, J.

Dated : MARCH 27, 2025

PER COURT :-

. These are the Applications for condonation of 3392 days delay in preferring the First Appeals by the Applicants against the Judgment and Order dated 06.08.2010 passed by the learned Jt. Civil Judge, Senior Division, Osmanabad in LAR Nos.293/2007, 292/2007, 290/2007.

2. Pursuant to notice issued on the Applications, the learned AGP appears for Respondents No.1 and 2 / State and learned Advocate appears for Respondent No.3.

3. It is submitted by the learned Advocate for the Applicants that the Applicants are poor farmers and their lands have been acquired and due to financial constraint, they could not approach this Court within the stipulated period. He submits that the Applications be allowed.

4. The Applications are opposed by the learned AGP appearing for Respondent Nos.1 and 2 and also by the learned Advocate for Respondent No.3 – Acquiring Body.

5. Perused the Applications. For the reasons mentioned in paragraph no.3 of the Applications, the Applications are allowed in terms of prayer clause 'B', subject to the condition that the Applicants shall not be entitled for the statutory benefits and the interest for the aforesaid delayed period. The copy of this order be kept in the order sheet of the Appeals memo. Civil Applications stand disposed off accordingly.

(NEERAJ P. DHOTE, J.)