



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

CIVIL APPLICATION NO. 6296 OF 2025  
IN FAST/14164/2025

Dayanand Digambar Karle Died Thr Lrs Sindu And Ors  
VERSUS  
The State Of Maharashtra, Thr The Collector, Latur And Ors

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Mr.V.G.Kodale, Advocate for applicants  
Mr.S.S.Dande, AGP for respondent nos.1 and 3  
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**CORAM : AJIT B. KADETHANKAR, J.**  
**DATE : SEPTEMBER 09, 2025**

**ORDER :-**

Heard Mr.Kodale, learned counsel for the applicant and  
Mr.Dande, learned AGP for the respondents.

2. This Civil Application is filed seeking condonation of delay of 6739 days, caused in filing First Appeal, against the judgment and award dated 18.08.2006, passed by learned 2<sup>nd</sup> Adhoc Addl. District Judge, Latur, in LAR No.1016/1999. The record shows that vide order dated 12.08.2025, learned counsel for the applicants had sought time for furnishing better particulars for the reasons mentioned in paragraph 2 of the application for condonation of delay.

3. Today, Mr.Kodale, learned counsel, places on record a compilation of copies of Exh.14 filed by the claimants in the trial court,

seeking withdrawal of the deposited award amount. Mr.Kodale also filed a copy of the order dated 18.02.2025, passed by learned District Judge-2, Latur, on the application that was filed below Exh.14 (supra). The documents are taken on record and marked as "X" for ready reference.

4. The applicants are owners, whose lands have been acquired by the acquiring body. They being farmers, have lost their absolute source of income and source of livelihood. It has been consistently held by Hon'ble Supreme Court as also by this Court, that the delay must not be a hurdle for such claimants/poor farmers to seek enhancement in the compensation amount, because, enhancement in the compensation amount is a statutory right of the claimants. A 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."

5. For the reasons stated in the application and in the light of the decision in the case of **Suresh Kumar** (supra), I pass the following order:-

(i) The Civil Application stands allowed. Delay of 6739 days, caused in filing the present First Appeal, stands condoned.

(ii) Mr.Kodale, learned counsel for the applicants, submits that the applicant/appellant shall not claim any interest or any compensation of whatever in nature, for the period of delay caused in filing the First Appeal.

(iii) Office to register the First Appeal and shall issue notices to the parties, returnable after six weeks. Mr.Dande, learned AGP, waives notice for respondent nos.1 and 2.

**[AJIT B. KADETHANKAR, J.]**

KBP