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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**934 CIVIL APPLICATION NO. 7979 OF 2023
IN FAST/15229/2023**

ATTAM UTTAM TATHE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA
AND OTHERS

Mr.B.S.Dhawale, Advocate for the applicant.
Mr.K.N.Lokhande, AGP for respondents/State.

(CORAM : PRAFULLA S. KHUBALKAR, J.)

DATE : JULY 9, 2025

PER COURT :

1. Heard the learned Advocate for the applicant and the learned AGP for respondents/State.
2. The applicant is seeking condonation of delay of 1221 days in filing the first appeal, seeking enhancement of the compensation against acquisition of her land.
3. Learned Advocate for the applicant submits that the delay is unintentional and it occurred since the applicant/appellant who is farmer, was not aware about need to file appeal immediately. It is submitted that the applicant wants to litigate for award of just

compensation towards acquisition of his land. It is stated that the delay occurred is on account of lack of knowledge of legal proceedings and financial duress.

4. In that view of the matter, in light of the law laid down by the Hon'ble Supreme Court in case of **Suresh Kumar Vs. State of Haryana and others with connected appeals (arising out of SLP © No.670/20220)**, this application is allowed, subject to condition that the applicant files an undertaking to the satisfaction of the Registrar (Judicial) of this Court that the applicant shall not claim interest and statutory benefits for the delayed period, in case his appeal for enhancement of compensation is favourably considered. Undertaking shall be filed within a period of eight weeks from today, which shall be made part of the first appeal.

5. The civil application is disposed of.

6. Appeal be registered subject to removal of all office objections.

(**PRAFULLA S. KHUBALKAR, J.**)