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13ca9612.09

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

**13 CIVIL APPLICATION NO. 9612 OF 2009
IN FAST/18078/2009**

**WITH
FAST/18078/2009**

THE STATE OF MAH AND ORS

....Applicant

VERSUS

GOVIND BHAU ZINGURKE AND ORS

.....Respondent

Mr. R. B. Dhaware, AGP for the applicants/State
Mr.

CORAM : KISHORE C. SANT, J.

DATE : 15th JULY, 2025

P. C.

CIVIL APPLICATION

1. This application is for condonation of delay filed in the year 2009. Notices were issued. However, respondents could not be served.

2. This court has also seen the first appeal. It is seen that in the first appeal the appellant challenges the judgment

and award passed in LAR No. 47/2005 by the learned 7th Ad-hoc District Judge, Beed dated 08-03-2006. The learned SLAO had granted rate to Rs.250/- per R. Same is enhanced to Rs.550/- per R by the learned reference court. The land was acquired for village tank No. II.

3. This court has disposed off several such matters wherein, enhancement is less than four times of the rate awarded by the learned SLAO. The Government has taken a policy decision of not filing the appeals, wherein enhancement is less than four times of the award passed by the learned SLAO by notification dated 30-11-2016 and corrigendum dated 23-02-2017.

4. This court, thus, finds that the first appeal itself can be disposed off. For that purpose delay is condoned. The civil application stands allowed.

5. Office to register the first appeal.

FIRST APPEAL

1. It is pointed out that the appeal is against the judgment and award passed in LAR No. 47/2005 by the learned 7th Ad-hoc District Judge, Beed dated 08-03-2006.

2. In view of the government notification dated 30-11-2016 and corrigendum dated 23-02-2017 this court has recorded reasons while condoning delay caused in filing an appeal. In view of those observations, the appeal stands disposed off. No order as to costs.

[KISHORE C. SANT, J.]