



(1)

912-CA-10954-2013

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

912 CIVIL APPLICATION NO. 10954 OF 2013
IN FAST/20449/2013

The State Of Maharashtra

VERSUS

Macchindra Bapu Khatavkar And Others

WITH

CIVIL APPLICATION NO. 10955 OF 2013
IN FAST/20449/2013

...

Mr. R. B. Dhaware, AGP for Applicant-State.

CORAM : KISHORE C. SANT, J.

DATE : 20th SEPTEMBER 2025.

PC :-

1. Heard learned AGP for Applicant-State.
2. In spite of service, none for the respondent.
3. This civil application is filed for condonation of delay of 1917 days caused in filing the first appeal.
4. For the reasons stated in the application, application is allowed. Delay stands condoned. Office to register the First Appeal.
5. Civil Application stands disposed off.

Ethape

FIRST APPEAL

6. This appeal is filed by the State challenging the Judgment and Award dated 30th March 2007, passed by the learned Ad-hoc District Judge-2 and Additional Sessions Judge, Beed in LAR No. 81/2006.

7. The land of the respondent-claimant came to be acquired for Percolation Tank at Khopati. The total land acquired is 1H 40.5R. A notification under Section 4 of the Land Acquisition Act came to be issued on 23rd May 1985. The award was passed on 15th January 1988. The learned SLAO awarded the rate of Rs.70/- per R. The learned Reference Court, by way of impugned Judgment and Award, awarded total compensation at the rate of Rs.400/- per R. The enhancement thus appears to be six times of the amount of land.

8. Considering that the total amount is Rs.79,820/-, this Court finds that no purpose would be served by keeping the first appeal pending. On merits, this Court finds that no case is made out calling for interference at the hand of this Court. The appeal therefore deserves to be dismissed. Hence, the following order:

ORDER

- (i) First Appeal stands dismissed. No order as to costs.
- (ii) In view of dismissal of First Appeal, pending Civil Applications, if any, do not survive and same stand disposed off.

[KISHORE C. SANT, J.]