



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

**CIVIL APPLICATION NO. 7780 OF 2022
IN FAST/21344/2020**

The Executive Engineer, Minor Irrigation Division, Latur, Thr. GMIDC,
Aurangabad

VERSUS

Mathurabai Shivaji Panchal And Ors

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**WITH CIVIL APPLICATION NO. 7752 OF 2022
IN FAST/20752/2020**

**WITH CIVIL APPLICATION NO. 7762 OF 2022
IN FAST/21331/2020**

**WITH CIVIL APPLICATION NO. 7768 OF 2022
IN FAST/21334/2020**

**WITH CIVIL APPLICATION NO. 7770 OF 2022
IN FAST/21338/2020**

**WITH CIVIL APPLICATION NO. 7782 OF 2022
IN FAST/21341/2020**

**WITH CIVIL APPLICATION NO. 7756 OF 2022
IN FAST/21347/2020**

**WITH CIVIL APPLICATION NO. 7760 OF 2022
IN FAST/21350/2020**

**WITH CIVIL APPLICATION NO. 7778 OF 2022
IN FAST/21358/2020**

**WITH CIVIL APPLICATION NO. 7776 OF 2022
IN FAST/21361/2020**

**WITH CIVIL APPLICATION NO. 7774 OF 2022
IN FAST/21364/2020**

**WITH CIVIL APPLICATION NO. 7772 OF 2022
IN FAST/21367/2020**

**WITH CIVIL APPLICATION NO. 7764 OF 2022
IN FAST/21370/2020**

**WITH CIVIL APPLICATION NO. 7754 OF 2022
IN FAST/21373/2020**

**WITH CIVIL APPLICATION NO. 7766 OF 2022
IN FAST/21376/2020**

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Advocate for Applicant – Acquiring Body : Mr. Sudhir G. Bhalerao
AGP for Respondents – State Authorities : Mr.N.D.Batule
Advocate for Respondents – Original Claimants : Mr. Suraj V. Gundre
(through VC) and Mr.H.V.Patil in respective matters.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 11 JUNE 2025

PRONOUNCED ON : 12 JUNE 2025

ORDER :-

1. Instant applications are raised for condonation of delay of 2482 days caused in filing first appeals against judgment and order dated 28-02-2013 passed by the Reference Court in Land Acquisition References (LARs).

2. Learned counsel for the applicant pointed out that original claimants had preferred Land Acquisition References on account of acquisition of their land by applicant Acquiring Body. The references were decided by common judgment dated 28-02-2013. Present applicant is dissatisfied by the same and intends to file first appeals

before this Court, however, in doing so, there has been delay of 2482 days. That, in similar matters arising out of same acquisition proceedings, this Court had previously condoned the delay. Orders to that extent are also placed on record and hence, learned counsel urges for condonation of delay.

Learned counsel also seeks reliance on the judgment of Hon'ble Supreme Court in the case of ***Suresh Kumar v. State of Haryana and Ors.*** dated 23-04-2025 passed in Civil Appeal arising out of SLP (C) No.670 of 2020 with connected matter. He invited attention of this Court to observations of the Hon'ble Supreme Court in paragraph nos.8 and 9.

3. Learned counsel for respective respondents – original claimants strongly opposed applications on the ground that there is no plausible explanation for the huge delay. That, delay is not satisfactorily explained. That, no cogent reasons are assigned so as to condone the delay. Moreover, they pointed out that applicant had knowledge about the impugned judgment, but they were not diligent in filing appeals within statutory period of limitation. That, after a year, attempt has been made to question the impugned judgment. Therefore, for all above reasons, applications are opposed.

4. After considering the submissions of both the sides and more particularly, taking into account the observations of the Hon'ble Supreme Court in the case of ***Suresh Kumar*** (supra), and to give a fair opportunity to applicant to contest the matters, delay is required to be condoned. Accordingly, applications stand allowed in terms of prayer clause (A). Delay caused in filing appeals against the impugned judgment and award is hereby condoned. Registry to take requisite steps for registration of appeals. Civil Applications stand disposed of accordingly.

5. On registration of appeals, issue notice of admission of appeals to the respondents. Mr.Gundre, learned counsel and Mr.Patil, learned counsel waive service of notice for respective respondents-claimants. Learned AGP waives service of notice for respondents-State.

6. Call Record and Proceedings.

7. After compliance of procedural formalities, list the appeals for further process in due course.

(**ABHAY S. WAGHWASE**)
JUDGE