



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

**19 CIVIL APPLICATION NO. 13936 OF 2011
IN FAST/25024/2011**

THE STATE OF MAHARASHTRA AND ANR

VERSUS

GAHININATH RAMA GADE AND ORS

WITH

**CIVIL APPLICATION NO. 13937 OF 2011
IN FAST/25024/2011**

Mrs.Chaitali Choudhari Kutti, AGP for the applicant-State.

Mr. S.B. Choudhari, Advocate for the respondents.

CORAM : KISHORE C. SANT, J.

DATE : 25.09.2025

PC :-

CIVIL APPLICATION FOR CONDONATION OF DELAY

01. This application is filed for condonation of delay of 839 days caused in filing the appeal by the State Government.

02. For the reasons recorded in the application, the delay is condoned. The application is allowed. The First Appeal be registered.

FIRST APPEAL

01. Heard. The land of the claimants-respondents came to be acquired for construction of village tank No.1 from Antapur, Tal. Patoda, Dist. Beed. Notification under section 4 of the Land Acquisition Act came to be issued on 24.02.2005. Total land acquired is 1 Hectare 17R. The

award came to be passed on 29.07.2006. The learned Special Land Acquisition Officer [SLAO] awarded rate of Rs. 510/- per R. The learned Reference Court while allowing the Land Acquisition Reference No.73 of 2007 enhanced the rate to Rs. 1425/- per R. Said enhancement is within four times of the amount awarded by the learned SLAO.

02. Considering the Government decision vide Government Resolution No. Sankirna-2014/pra.kra.4/Bham-1/A-4 dated 03.11.2016 and its corrigendum dated 23.02.2017, this Court finds that keeping this First Appeal pending would not be in the interest of any party. The appeal, therefore, stands dismissed with no order as to costs.

03. Pending Civil Applications, if any, also stand disposed off.

[KISHORE C. SANT, J.]