



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

972 CIVIL APPLICATION NO. 4283 OF 2025

WITH

RAST/11574/2025

WITH

FA/3285/2023

TRIMBAK RAMCHANDRA SAVANT AND ORS

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :

Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil

Advocate for Respondent No.1 : Mr. S. C. Arora

AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4284 OF 2025

WITH

RAST/11583/2025

WITH

FA/3286/2023

SULOCHANA GOVINDRAO SAWANT AND ORS

VERSUS

THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :

Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil

Advocate for Respondent No.1 : Mr. S. C. Arora

AGP for Respondent/State: Mr. K. N. Lokhande

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CIVIL APPLICATION NO. 4289 OF 2025
WITH
RAST/11592/2025
WITH
FA/3283/2023
BHIMGIR RAJGIR GIRI AND ORS
VERSUS
EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION LATUR
AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4285 OF 2025
WITH
RAST/11588/2025
WITH
FA/3288/2023
MURALI RAMCHANDRA SAVANT AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4286 OF 2025
WITH
RAST/11596/2025
WITH
FA/3289/2023

TRIMBAK RAMCHANDRA SAWANT AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4292 OF 2025
WITH
RAST/11600/2025
WITH
FA/3292/2023
AJEET LAXMAN HERKAR AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4288 OF 2025
WITH
RAST/11598/2025
WITH
FA/3284/2023
MURALI RAMCHANDRA SAVANT AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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CIVIL APPLICATION NO. 4294 OF 2025
WITH
RAST/11585/2025
WITH
FA/3291/2023
SHESHERAO VENKATRAO SHINDE AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4290 OF 2025
WITH
RAST/11603/2025
WITH
FA/3294/2023
RAM TIMMA PAWAR DIED THROUGH LRS BHIMABAI RAM
PAWAR AND OTHERS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :
Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil
Advocate for Respondent No.1 : Mr. S. C. Arora
AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4295 OF 2025

WITH

RAST/11577/2025

WITH

FA/3290/2023

LAXMAN MADHAVRAO HERKAR AND OTHERS

VERSUSTHE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :

Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil

Advocate for Respondent No.1 : Mr. S. C. Arora

AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4291 OF 2025

WITH

RAST/11580/2025

WITH

FA/3293/2023

KALIDAS SHAMRAO MANE AND OTHERS

VERSUSEXECUTIVE ENGINEER MINOR, IRRIGATION DIVISION, LATUR
AND ORS

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Advocate for Applicants :

Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil

Advocate for Respondent No.1 : Mr. S. C. Arora

AGP for Respondent/State: Mr. K. N. Lokhande

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WITH

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CIVIL APPLICATION NO. 4287 OF 2025
WITH
RAST/11590/2025
WITH
FA/3287/2023
BHAGWAN GOPAL SAWANT AND ORS
VERSUS
THE EXECUTIVE ENGINEER, MINOR IRRIGATION DIVISION,
LATUR AND ORS

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Advocate for Applicants :

Mr. P. R. Katneshwarkar, Senior Advocate i/b. Shashikiran N. Patil

Advocate for Respondent No.1 : Mr. S. C. Arora

AGP for Respondent/State: Mr. K. N. Lokhande

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CORAM : ARUN R. PEDNEKER, J.

DATE : 19.09.2025

PER COURT:

1. Heard.

2. For the reasons mentioned in the civil applications for condonation of delay, delay condoned in respective applications. The civil applications stand disposed of accordingly.

3. The review applicants / original respondents seek review of the order dated 28.08.2023, whereby this court condoned the delay in filing the first appeals before this court under Section 74(1) of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 (*for brevity "2013 Act"*). This court has

condoned the delay of 225 and 233 days in filing respective appeals for the reason of delay caused on administrative grounds.

4. The learned Senior Advocate appearing for the review applicants / respondents in First Appeals submits that the proviso to Section 74(1) of the 2013 Act directs that the High Court may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the period of sixty days, allow it to be filed within a further period not exceeding sixty days. Thus, the total period available to file an appeal is $60 + 60 = 120$ days.

5. The learned Senior Advocate relies upon the Judgment of this court in the case of **Municipal Corporation of Greater Mumbai Vs. Anusaya Sitaram Devrukhkar**, dated 07.01.2025, more particularly, paragraph no.39, as under:

“39. In view of the foregoing discussion, we have no hesitation in holding that beyond the total period of 120 days as stipulated in Section 74(1) [read with its proviso] of the 2013 Act, this Court has no power to condone the delay. Since, admittedly in the facts of the present case, both the applications [seeking condonation of delay] filed by the Appellant are beyond the total period of 120 days, both the applications seeking a condonation of delay are hereby dismissed. Consequently, so are both the above First Appeals and any other Interim Applications filed therein. However, in the facts and circumstances of the present case, there shall be no order as to costs.”

wherein the court has held that there is no power to the High Court to condone delay beyond 120 days as stipulated under Section 74(1) of the 2013 Act.

6. The learned counsel appearing for respondent no.1 in respective applications opposed for allowing the review applications.

7. Considering the above submissions that Section 74(1) of the 2013 Act does not permit appeal beyond 120 days (*Municipal Corporation of Greater Mumbai Vs. Anusaya Sitaram Devrukhkar*) supra, the order dated 28.08.2023 is re-called. The Review Applications are allowed. Consequently, the First Appeals stand dismissed.

[ARUN R. PEDNEKER, J.]

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