

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11689 OF 2024
IN FAST/22418/2024

Shankar Hulba

....Applicant

VERSUS

The State Of Maharashtra Through The Collector Nanded And Ors.

.....Respondent

.....
Advocate for Applicant : Mr. Kakde S.M. And Kakade D.M.
AGP for Respondents 1 and 2 : Mr. V.S. Badakh.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 5th MAY, 2025.

P.C. :-

1. Heard learned counsel appearing for applicant/s and learned AGP for respondent Nos. 1 and 2. Respondent No.3 though served, none appears.
2. The applicant seeks to condone delay of 5048 days caused in filing the appeal against the award passed by the Reference Court.
3. Learned advocate appearing for the applicant invites attention fo this Court to the order dated 20.9.2023 passed in Civil Application No. 6274 of 2023 in FA Stamp No. 3293 of 2023 alongwith companion matters. He submits that present matter also pertains to the same acquisition. This court had condoned the delay vide order dated 20.9.2023 in all those companion matters, which are arising out of same acquisition.

4. In that view of the matter, considering the reasons as stated in the order dated 20.09.2023, coupled with reasons stated in the application, application deserves to be allowed. Hence, the following order :-

O R D E R

- [I] Civil Application is allowed;
- [ii] Delay caused in filing the appeal is condoned subject to condition that the applicant files an undertaking to the satisfaction of the Registrar (Judicial) of this Court that, in case, his appeal is allowed and compensation is enhanced, he shall not claim interest and statutory benefits for the delayed period.
- [iii] Undertaking to be filed within a period of six weeks and shall be made part of the appeal.
- [iv] Civil application is disposed of.
- [v] Appeal be registered. On registration of appeal, ADMIT.
- [vi] Print and paper book dispensed with.
- [vii] To be heard alongwith First appeal Nos. 3987 of 2023, 3984 of 2023, 999 of 2023, 3980 of 2023 and FA No. 3698 of 2023.

[S.G. CHAPALGAONKAR, J.]

grt/-