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

929 CIVIL APPLICATION NO. 8165 OF 2022 IN FAST/27745/2021

Muktabai Shivanna Koli

VERSUS

The State Of Maharashtra

Through The Collector, Osmanabad And Others

AND

929 CIVIL APPLICATION NO. 8166 OF 2022 IN FAST/27855/2021

Biranna Revanna Ghodke

VERSUS

The State Of Maharashtra

Through The Collector, Osmanabad And Others

AND

929 CIVIL APPLICATION NO. 8167 OF 2022 IN FAST/27849/2021

Mailari Rama Jamadar (Died) Through L.Rs. Dattu and Others

VERSUS

The State Of Maharashtra

Through The Collector, Osmanabad And Others

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Mr. S.B. Bhalerao, Advocate h/f Mr. A.B. Kale, Advocate for Applicant

Ms. D.S. Jape, AGP for Respondents No.1 and 2 – State

Mr. G.B. Rajale, Advocate for Respondent.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 29 JULY, 2025

PER COURT :-

1. Present applications are for condonation of delay of 3943 days in filing the first appeals against the judgment and award dated 28.09.2010 passed by the Civil Judge, Senior Division, Omerga in L.A.R. Nos.1194/2009, 1188/2009 and 1187/2009 respectively.

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2. Learned counsel for respondent No. 3/acquiring body opposed the application pointing out that there is no plausible explanation for the delay and applicants/claimants are not entitled for statutory benefits for the period of delay.

3. For the reasons stated in the applications and in the interest of justice and fair opportunity, delay so caused is required to be condoned. At the same time, applicants/claimants shall not be entitled to get statutory benefits as well as the amount of interest as provided in the Land Acquisition Act, 1894, for the delayed period. Hence, the following order is passed.

ORDER

- (i) Civil Applications are allowed.
- (ii) The applicants/claimants shall furnish an undertaking that they would not claim the statutory benefits as well as the amount of interest as provided in the Land Acquisition Act, 1894 for the delayed period.
- (iii) Registry is directed to register the Appeals.
- (iv) In First Appeals, issue notice to respondents, returnable on 09.09.2025. Learned AGP waives service of notice on behalf of respondents No.1 and 2 and Mr. G.B. Rajale, waives service of notice on behalf of respondent No.3/acquiring body.

**ABHAY S. WAGHWASE,
JUDGE**