

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

13 CIVIL APPLICATION NO. 1931 OF 2020
IN FAST/30893/2019

Meghraj Vaijinath Adatrao

Versus

The State of Maharashtra And Anr

.....

AND

CIVIL APPLICATION NO. 1936 OF 2020
IN FAST/30873/2019

Nagnath Vishvanathrao Buchade And Anr

Versus

The State Of Maharashtra And Anr

.....

AND

CIVIL APPLICATION NO. 1933 OF 2020
IN FAST/30877/2019

Bharat Pundlik Pawar And Anr

Versus

The State Of Maharashtra And Anr

.....

AND

CIVIL APPLICATION NO. 1932 OF 2020
IN FAST/30880/2019

Waman Vithoba Jondhale (died) Thr Lrs Sayas Waman Jondhale And
Ors

Versus

The State Of Maharashtra And Anr

.....

AND

CIVIL APPLICATION NO. 1934 OF 2020
IN FAST/30882/2019

Shankar Nivrutti Somwanshi

Versus

The State Of Maharashtra And Anr

.....

AND

**CIVIL APPLICATION NO. 1938 OF 2020
IN FAST/30885/2019**

Balaji Baburao Pagadle

Versus

The State Of Maharashtra And Anr

.....

AND

**CIVIL APPLICATION NO. 1935 OF 2020
IN FAST/30888/2019**

Baburao Vithoba Jondhale

Versus

The State Of Maharashtra And Anr

.....

In all the Applications :

Shri. Laxmikant C. Patil, Advocate for the Applicants

Shri. R. B. Dhaware, AGP for the Respondent / State.

Shri. S. C. Arora, Advocate for Respondent No.2

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CORAM : NEERAJ P. DHOTE, J.

Dated : MAY 05, 2025

PER COURT :-

. These are the Applications by the Orig. Claimants for condonation of 4098 days delay in preferring First Appeals for further enhancement of compensation amount under the Land Acquisition Act.

2. Heard the learned Advocate for the Applicants, learned AGP for the State and the learned Advocate for the Acquiring Body.

3. The learned Advocate for the Applicants submits that due to financial constraints, the Applicants could not prefer the Appeals within the stipulated time. He further submits that only source of income for

the Applicants was the land which came to be acquired by the Acquiring Body. He further submits that this Court in connected matter i.e. in Civil Application No. 793 of 2020 in First Appeal (St.) No.40587 of 2019 by order dated 16.04.2025 has condoned 6615 days delay. He therefore submits that the delay in these Applications may be condoned and the Applications may be allowed.

4. The Applications are opposed by the learned Advocate for the Acquiring Body. He submits that delay is not properly explained and therefore the Applications may be rejected.

5. The learned AGP submits that appropriate orders be passed.

6. Perused the aforesaid order dated 16.04.2025. The relevant paragraph from the said order reads as follows :

“5. There is no doubt that the delay is of 6651 days. The Advocate for the Applicants tenders across the bar a copy of the order dated 27th February, 2025 passed by this Court in Civil Application No.3630 of 2014 in FAST No. 3951 of 2014, wherein this Court has considered and condoned the delay of similar extent. A copy of the said order is taken on record. Perusal of the said order goes to show that the reasons for condonation of delay are more or less similar. Paragraph no.3 of the said order reads thus : -

*“3. In view of above and in the light of observations made by the Supreme Court in para 14 of the judgment in the case of **Ramanlal Deochand Shah vs. State of Maharashtra and another**, reported in AIR 2013 SC 3452, civil application/s for condonation of delay is/are allowed. Delay in filing the appeal/s is hereby condoned on the condition that the applicant/s shall not be entitled for the amount of interest and/or other statutory benefits of the period for which delay sought to be condoned.”*

7. On hearing both the sides and for the reasons mentioned in the Applications, the aforesaid delay is condoned. The Applications are allowed in terms of prayer clause 'B' thereof. The Applicants shall not be entitled to interest and statutory benefits for the aforesaid delayed period. Copy of this order be kept in the order sheet of the Appeal Memo. All Civil Applications stand disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP