



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

89 CIVIL APPLICATION NO. 12156 OF 2024
IN FAST/29916/2024

Mahadav Pandharinath More

VERSUS

The State Of Maharashtra Thr. Collector Osmanabad And Ors.

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Advocate for Applicant : Mr. P.S. Sagalgile h/f Kabade Vivek V
AGP for Respondents: Mr. V S Badakh

CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 07, 2025

PER COURT :-

1. Heard learned advocates appearing for the respective parties.
2. The applicant seeks to condone the delay of 2862 days caused in filing the appeal. The applicant lost his land due to compulsory acquisition. He filed reference under section 18 of the Land Acquisition Act. It has been partly allowed. The applicant is still aggrieved by assessment of the compensation by the Reference Court. The applicant contends that due to poor financial condition emerging from drought situation as well as the effect of Covid-19, the applicant could not take steps within time for filing the appeal.
3. Learned counsel appearing for the applicant submits that applicant shall not claim interest and statutory benefit for the delayed period.

4. Considering the submissions advanced and reasons as stated in the application, the application deserves to be allowed subject to certain conditions. Hence, the order.

ORDER

- i. Civil application is allowed.
- ii. Delay of 2862 days caused in filing the appeal is hereby condoned subject to the condition that the applicant files an undertaking to the of the Registrar (Judicial) of this Court that he shall not claim statutory benefit and interest for the delayed period, in case, his appeal is favourably considered for enhancement of the compensation.

- iii. CA stands disposed of.

(S. G. CHAPALGAONKAR, J.)

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