



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

**CIVIL APPLICATION NO. 1031 OF 2024
IN FAST/37315/2023**

Sudhakar Vithal Chamle

VERSUS

The State Of Maharashtra Through The Collector, Latur And
Anr

...

Mr. E. G. Irale, Advocate for Applicant

Mr. S. V. Hange, AGP for Respondent-State

.....

CORAM : AJIT B. KADETHANKAR.

DATED : 11TH SEPTEMBER, 2025

ORDER :-

. Being dissatisfied with the judgment and award dated 23.02.2005, passed by learned Civil Judge, Senior Division, Ahmedpur, Bench at Udgir in Land Acquisition Reference No.2929 of 2001, the claimant has preferred this appeal seeking enhancement in the land acquisition compensation against compulsory acquisition of his agricultural land.

2. Learned Advocate for applicant Mr. E. G. Irale submits that since, after passing of the impugned judgment and award, the claimant has not lodged any legal proceeding before any Authority/Court for enhancement in the compensation. Mr. Irale further submits that the claimant is a

poor farmer and has already lost the sole source of his livelihood. With an object to get adequate compensation, the present appeal is filed. He would further submits that due to lack of legal knowledge and due to weak financial condition, he could not approach to the Court or Advocate earlier. With this, Mr. Irale for the applicant seeks condonation of delay, assuring that if the delay is condoned, the claimant would not claim any compensation, interest or any other amount for the delayed period.

3. Mr. S. V. Hange, learned AGP however, vehemently opposes the Civil Application contending that the delay is inordinate and not bonafide.

4. Having heard the counsels, I find that for the reasons stated in the application, the claimant/applicant has made out a case to condone the delay.

5. Profitable reference can be made to the judgment and order passed by the Hon'ble Supreme Court in the matter of Suresh Kumar Vs. State of Haryana and Ors., (Civil Appeal arising out of (C) No.670/2020) and connected matters decided on 23.04.2025. Their Lordships, after considering series of judgments, have observed in paragraph 11, as

follows:-

“11. In all judgments referred supra, the common thread that can be observed is that delay is not a reason to deny the land losers their compensation, which is just, fair and reasonable for the land they have lost.”

6. In view of above consideration, following order:
 - a. Civil Application stands allowed.
 - b. Delay caused in filing the First Appeal stands condoned.
 - c. Appeal be registered. On registration of appeal, issue notice to the respondents. Mr. Hange, learned AGP waives service of notice for respondents-State.
 - d. Call Record and Proceeding.
7. Stand over to 20.11.2025.

(AJIT B. KADETHANKAR, J.)