



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

60 CIVIL APPLICATION NO. 356 OF 2025
IN FAST/35102/2024

Pusaram Pilaji Kawade (died) Thr. Lrs Satyabhamabai Pusaram
Kawade And Ors

VERSUS

The State Of Maharashtra Through The Collector Jalna And
Ors.

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Advocate for Applicant : Mr. Jadhav Kailas B

AGP for Respondents: Mr. D B Bhange

Advocate for Respondent 3 : R.D. Reddy

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 28, 2025

PER COURT :-

1. Heard Mr. Jadhav, learned advocate appearing for the applicants.
2. The applicant seeks to condone the delay of 5356 days caused in filling the appeal.
3. Learned advocate bring to the notice of this court the order passed in sister appeal, whereby similar days delay is condoned by putting certain conditions. The applicant is litigating for just compensation towards land acquired by the respondents.
4. The delay is occasioned on account of lack of knowledge as to legal proceeding and financial duress.

5. In that view of the matter, in light of the law laid down by the Supreme Court of India in case of **Suresh Kumar Vs. State of Haryana and others with connected appeals** (arising out of SLP © No.670 Of 2020), application is allowed subject to condition that applicant files an undertaking to the satisfaction of the Registrar Judicial of this Court that the applicants shall not claim interest and statutory benefit for the delayed period, in case their appeal for enhancement of compensation is favourably considered. Undertaking to be filed within a period of eight (8) weeks from today, which shall be made part of the first appeal.

6. Appeal be registered subject to removal of office objections. CA stands disposed of.

(S. G. CHAPALGAONKAR, J.)

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