



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

**CIVIL APPLICATION NO. 12070 OF 2024
IN FAST/27700/2024**

RAGHUNATH ADHAR MISTRI

VERSUS

**THE DEPUTY COLLECTOR, (LAND ACQUISITION) NO. 1,
MEDIUM IRRIGATION PROJECT, DHULE AND ORS**

...

Mr. Yash S. Pareek h/f Mr. Ajeet B. Kale, Advocate for Applicants.
Mr. V. S. Badakh, AGP for Respondents-State.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 29th JANUARY, 2025.**

P.C.:-

1. Heard the learned Advocate appearing for the applicant.
2. By this application, the applicant seeks to condone the delay of 752 days caused in filing the present Appeal against the Award passed by the Reference Court.
3. In spite of service of notice of this application, none appears for respondent no.3.
4. The applicant states that applicant is rustic person and does not possess knowledge of legal proceedings. He was under financial duress. Therefore, could not file present Appeal.
5. The statement made in the application is not controverted by the respondents.
6. The applicant is pursuing his claim for just compensation for acquired lands. Looking to the nature of litigation, delay deserves

to be condoned by putting certain conditions. Hence, following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 752 days caused in filing present Appeal is hereby condoned subject to condition that applicant files undertaking to the Registrar (Judicial) of this Court that he shall not claim interest and statutory benefit for the delayed period, in case his Appeal is favourably considered for grant of enhanced compensation.
- c. Appeal be registered subject to removal of office objections.
- d. Civil Application is disposed of.

(S. G. CHAPALGAONKAR)
JUDGE