



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

76 CIVIL APPLICATION NO. 13671 OF 2024
IN FAST/33897/2024

Pandit Deorao Kharat And Ors

VERSUS

The Executive Engineer Minor Irrigation Division Jalna And
Ors

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Advocate for Applicant : Mr. Humbe Vilas M.

AGP for Respondents: Mr. V S Badakh

CORAM : S. G. CHAPALGAONKAR, J.

Dated : April 09, 2025

PER COURT :-

1. Heard learned advocates appearing for the respective parties.

2. The applicants seek to condone the delay of 2196 days caused in filing the appeal against the award passed by the Reference Court. Perused the application, particularly, reasons as stated in paragraph nos.3 to 6. The applicant contends that due to poverty, he could not take necessary steps for filing appeal within stipulated period. Considering the fact that applicants are litigating for getting just compensation towards acquired land, delay deserves to be condoned subject to certain conditions. Hence, following order.

O R D E R

i. The application is allowed in terms of prayer clause 'B' subject to condition that the applicants files undertaking to the satisfaction of the Registrar Judicial that they shall not claim

interest and statutory benefits for period of delay in case their appeal is favorably considered and enhanced compensation is granted.

ii. Such an undertaking to be filed within a period of eight weeks from today. On filing of undertaking, appeal be registered subject to removal of office objections.

(S. G. CHAPALGAONKAR, J.)

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