



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAO) NO.484 OF 2025

IN

MISC. CIVIL APPLICATION (REVISION) ST. NO.8711 OF 2025

IN

FIRST APPEAL ST. NO.2122 OF 2018

Smt Banarshibai wd/o Jugalkishor Bajoria (DeaD) Thr. Lrs Arun S/o Jugalkishor Bajoria,
Digras, Dist. Yavatmal and ors.

vs.

The State of Maharashtra, Thr. Collector, Yavatmal and anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. J. Shinde, Advocate for applicant/appellants.
Ms K. R. Kavimandan, AGP for respondents.

CORAM : ABHAY J. MANTRI, J.

DATED : 06-08-2025

The applicants/appellants have filed this application to condone the delay of 1736 days in filing the MCA/ revision application in First Appeal St. No.2122/2018, for which the learned Assistant Government Pleader for the respondents strongly objected and submitted that earlier also registration of the appeal was rejected as the applicants had not removed the office objections. She has also pointed out the order dated 01/03/2023 passed by this Court. On perusal of the same, it seems that by the said order, this Court has condoned the delay of 566 days caused in filing the application for restoration of the appeal to its registration stage, subject to removal of office objections within two weeks from the date of the said order. It was also made clear that failing which, the earlier order shall survive.

2. Despite the said fact, the applicants failed to remove office objections in time, and therefore, the earlier order dated

03/07/2018 was restored. More than 7 years have passed since the filing of the present application. However, the reasons stated in the application are not adequate.

3. The learned Advocate for the applicants further submitted that the applicants are ready to waive statutory benefits along with interest from the date of refusal of registration of appeal till its registration, and also are ready to pay the costs of Rs. 5000/- for the said lapses on their part.

4. Having considered the above facts and the settled position of law that the Land Acquisition Act has been enacted for the benefit of the claimants and the facts that the applicants are ready to waive the interest on the enhanced amount if any for the aforesaid period, I deem it appropriate to allow the application subject to costs of Rs.7000/- to be paid to the Government Pleader Library within two weeks from today. Failing which, this order shall stand vacated.

5. It is made clear that the applicants shall not be entitled to get any statutory benefits and interest on the enhanced amount of compensation from the date of refusal of registration of the appeal till registration of the appeal.

6. Stand over to 21/08/2025.

(ABHAY J. MANTRI, J.)