



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 FIRST APPEAL NO. 517 OF 2012

Prabhakar Dagdu Salgar
VERSUS
The State Of Maharashtra And Ors

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Advocate for Appellant : Mr. Solanke Shrikrashna B.
AGP for Respondents: Mr. S.B. Jadhav
Advocate for the acquiring body: Mr. B.A. Shinde

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WITH
CIVIL APPLICATION NO. 8701 OF 2024
IN FA/3678/2011

WITH
FIRST APPEAL NO. 3679 OF 2011

WITH
FIRST APPEAL NO. 3678 OF 2011

WITH
FIRST APPEAL NO. 1149 OF 2011

WITH
CIVIL APPLICATION NO. 3283 OF 2011
IN FA/1149/2011

WITH
FIRST APPEAL NO. 3256 OF 2015

WITH
FIRST APPEAL NO. 1298 OF 2012

WITH
FIRST APPEAL NO. 1297 OF 2012

WITH
FIRST APPEAL NO. 968 OF 2014

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 10th MARCH, 2026

PER COURT :-

1. Learned advocate for the respondent submits that the first appeal No.1149 of 2011 is wrongly tagged with this group of appeals

instead first appeal No. 1149 of 2013. In view of the same, first appeal No. 1149 of 2011 be de-tagged from this group of appeals and first appeal No. 1149 of 2013 be tagged with these appeals.

2. List the first appeal No.1149 of 2011 for final hearing on 27.03.2026.

3. In first appeal No. 1298 of 2012, the advocates representing respondent No.2 acquiring body is elevated as High Court Judge. In view of the same, issue notice to respondent No.2, returnable on 24.03.2026, first on board.

4. In many matters, it is found that the acquiring body/ authority i.e. the Executive Engineer, Irrigation department and other departments are not responding / giving follow up in their matters, particularly when the advocates representing them either are elevated, died or stopped the practices, when new panels are formed, panel advocates are changed etc. At several times, it is not necessary for this court to re-issue notice. Many times, it is noticed that no any heed is paid to the notices and the matters proceeded unrepresented. The amicus curiae/ pro bono advocates are also appointed in many matters to represent the acquiring body. This court by order dated 24.02.2026 passed in first appeal No. 63 of 2003

also directed the Registrar (Judicial) of this Court to conduct meetings with the officers of the acquiring body to control the delay. It was also observed that the State has to pay interest @ 15% p.a. and no bank in this country can pay such interest. Many matters have been pending for more than 25 years due to the adamant and lethargic attitude of the officers of various departments, thereby hampering the hearing of first appeals in this Court and other courts. The officers of the acquiring body are reluctant to give follow up in those matters.

5. Therefore, the Secretary/Additional Secretary, Irrigation Department, State of Maharashtra, is directed to take necessary action in that regard and to place the matter before the concerned Minister for further necessary action and for ensuring a smooth system of allotment of matters.

(SANJAY A. DESHMUKH, J.)

rlj/