IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 FIRST APPEAL NO. 212 OF 2010

Murlidhar Dattatraya Deshmukh
VERSUS
The State Of Mah Through Collector At Osmanabad
...
Mr. Hajare Abhishek M., Advocate for Appellant
Mr. S. G. Sangle, AGP for Respondents/State

WITH
FIRST APPEAL NO. 213 OF 2010WITH
CIVIL APPLICATION NO. 1998 OF 2026
IN FA/212/2010WITH
CIVIL APPLICATION NO. 3308 OF 2026
IN FA/1830/2012WITH
FIRST APPEAL NO. 214 OF 2010 WITH
CIVIL APPLICATION NO.3311 OF 2026
....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 18.03.2026

PER COURT :-

CIVIL APPLICATION NO. 1998 OF 2026
CIVIL APPLICATION NO. 3308 OF 2026
CIVIL APPLICATION NO.3311 OF 2026

1. Civil Application No.3311 of 2026 is not on board, upon being mentioned, taken on board.

2. These are the applications for condonation of 2466, 275 & 1260 and 202 days delay respectively caused in filing the Civil Applications for bringing the legal representatives of deceased claimants on record as well as for setting aside abatement.

3. Learned AGP for the respondent / State strongly opposed the applications and submitted that sufficient reasons are not given to allow the applications. He prayed to reject the applications.

4. On perusal of the applications, it appears that the applicants are illiterate having no knowledge of legal proceedings. Considering the reasons stated in the applications and the law laid down by the Hon'ble Supreme Court in ***Civil Appeal No.8331-8345 of 2022*** in the case of ***New Okhla Industrial Development Authority Vs. Rameshwar @ Ramesh Chandra Sharma (Dead) Through Legal heir & Anr.*** decided on 17.11.2022, the claimants are entitled to receive reasonable amount of compensation at par with other similarly situated landowners. Therefore, the delay deserves to be condoned in the interest of justice, as it is not deliberately caused. Hence, the following order:

::ORDER::

a. The applications are allowed.

b. The delay of 2466, 275 & 1260 and 202 days caused in filing the Civil Applications for bringing the legal representatives of deceased claimants on record is condoned.

c. The abatement is set aside.

d. The applicants are directed to amend the appeal memo by bringing the legal representatives of the deceased claimants on record on or before 30.03.2026. If the amendment is not carried within the stipulated period, the applicants in each application shall pay costs of Rs.2000/-.

e. The Civil Applications are disposed of.

. Stand over to 30.03.2026.

[SANJAY A. DESHMUKH, J.]

HRJadhav