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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 832 OF 2022
WITH
CIVIL APPLICATION NO.3527 OF 2019
WITH
INTERIM APPLICATION NO.5019 OF 2026
WITH
INTERIM APPLICATION NO.5020 OF 2026

The State of Maharashtra … Appellant
V/s.
Ramesh Vitthal Thakur … Respondent

ATUL GANESH KULKARNI
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Date: 2026.08.18 15:39:16 +0530

Mr. A.R. Patil, Additional G.P. for the appellant/ applicant/State.

Mr. Hemant Ghadigaonkar for the respondent.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 18, 2026

P.C.:

Interim Application No.5019 of 2026:

**1.** The Claimants have filed present interim application seeking a direction to accept challan annexed at Exhibit-C dated 27 January 2021 as valid discharge of payment of court fees.

**2.** The reasons mentioned in the application are that after payment of court fees by Challan dated 27 January 2021, due to covid pandemic situation, the challan could not be annexed with

the first appeal. However, thereafter due to sudden death of the Clerk, the challan was untraceable. It was only after the Claimants got traced one of the Clerk's friend, the challan was found.

3. In my opinion, therefore, the reasons furnished constitute sufficient cause for directing to treat challan annexed at Exhibit-C as compliance of the obligation of the Claimant to pay court fees.

4. Since the applicants are Claimants seeking enhancement of compensation under the Land Acquisition Act, 1894, the Court has to adopt liberal approach in the period to pay court fees.

5. Therefore, the interim application is allowed in terms of prayer clause (a).

6. Office shall now accept cross objection filed on behalf of the Claimants.

Interim Application No.5020 of 2026:

7. The Claimants have filed present interim application seeking withdrawal of 50% of the amount directed to be paid by the Reference Court.

8. It appears that the Reference Court enhanced the claim to Rs.850/-, against which Claimants themselves have filed first appeals. Therefore, considering the facts of the case, the applicants are permitted to withdraw 50% of the amount without any condition. However, balance 50% of the amount shall be permitted to be withdrawn on furnishing security to the satisfaction of the Reference Court.

9. The interim application stands disposed off accordingly.

(AMIT BORKAR, J.)