



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

24 CIVIL APPLICATION NO. 10071 OF 2023 IN FAST/14717/2023

OSMAN IMAMSAB

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

25 CIVIL APPLICATION NO. 10072 OF 2023 IN FAST/15759/2023

SANJAY BAPURAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

26 CIVIL APPLICATION NO. 10073 OF 2023

IN FAST/15764/2023

VENKATRAO BAPURAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

27 CIVIL APPLICATION NO. 10092 OF 2023 IN FAST/14787/2023

BAPURAO MANIKRAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

29 CIVIL APPLICATION NO. 10095 OF 2023 IN FAST/14788/2023

BAPURAO MANIKRAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

30 CIVIL APPLICATION NO. 10097 OF 2023 IN FAST/14728/2023

VILAS BAPURAO JADHAV

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

31 CIVIL APPLICATION NO. 10098 OF 2023 IN FAST/14724/2023

GANPAT TULSHIRAM

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

32 CIVIL APPLICATION NO. 10099 OF 2023 IN FAST/14721/2023

MUBARAK HASANSAAB

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR NANGED AND ORS

Mr.Ashish B. Shinde, Advocate for the applicants.

Mr.S.C. Arora and Ms. R.D. Reddy, Advocate for the respondent-Acquiring Body in the respective matters.

Ms.M.L. Sangit, AGP for the respondent/State in Sr. No.24 & 32.

Ms.A.S. Mantri, AGP for the respondent/State in Sr. No.25.
Mr.D.B. Bhave, AGP for the respondent/State in Sr. No.26.
Mr.A.M. Phule, AGP for the respondent/State in Sr. No.27.
Ms.M.N. Ghanekar, AGP for the respondent/State in Sr. No.29.
Mr.S.K. Shirse, AGP for the respondent/State in Sr. No.30.
Mr.V.M. Chate, AGP for the respondent/State in Sr. No.31.

CORAM : KISHORE C. SANT, J.
DATE : 31.07.2024

PC :-

01. These applications are filed for condonation of delay caused in filing the appeals. The delay is ranging from 1117 days to 5848 days. All these appeals are filed by the claimants whose land came to be acquired by the Acquiring Body, for enhancement of the compensation. The learned Advocate for the applicants points out order dated 19.07.2023 passed by this Court in Civil Application No. 13227 of 2021 condoning delay of 4992 days for filing the appeals. It is submitted that the said Civil Application arises from the same acquisition proceeding.

02. The applications are opposed by the learned Advocate appearing for the Acquiring Body and the learned AGP.

03. Considering that the appeals are filed by the claimants, this Court is inclined to allow the applications on certain conditions. Hence, following order :-

ORDER

(i) Civil Application No. 10071 of 2023, Civil Application No. 10072 of 2023, Civil Application No. 10073 of 2023 and

Civil Application No. 10097 of 2023 are allowed to subject to costs of Rs.5500/- (Rupees Five Thousand Five Hundred) each, to be deposited in the office of High Court Legal Services Sub-Committee, Aurangabad, within four weeks from today.

(ii) Civil Application No.10099 of 2023 is allowed subject to costs of Rs.2500/- (Rupees Two Thousand Five Hundred) to be deposited in the office of High Court Legal Services Sub-Committee, Aurangabad, within four weeks from today.

(iii) Civil Application No. 10092 of 2023, Civil Application No. 10095 of 2023 and Civil Application No. 10098 of 2023 are allowed subject to costs of Rs.1500/- (Rupees One Thousand Five Hundred) each, to be deposited in the office of High Court Legal Services Sub-Committee, Aurangabad, within four weeks from today.

(iv) The applicants shall not be entitled to receive interest for the delayed period on the enhanced amount of compensation in case the appeals are allowed and the applicants shall file an undertaking to that effect.

[KISHORE C. SANT, J.]