



( 1 )

945 CA 10347 OF 2025

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

945 CIVIL APPLICATION NO. 10347 OF 2025  
IN FAST/26161/2025  
WITH  
CIVIL APPLICATION NO. 10348 OF 2025  
IN FAST/26161/2025

1 OFFICER IN CHARGE OFFICE OF MIDC AURANGABAD NEAR RAILWAY  
STATION AURANGABAD AND ANR

VERSUS

CHANDRABHAGABAI WO RAMRAO MATSAGAR DIED THROUGH LRS 1  
SAINATH SO RAMRAO MATSAGAR AND ORS

...

Mr. G. S. Khaire h/f. Mr. S. S. Dande, Advocate for Applicants  
Mr. S. V. Hange, AGP for Respondent-state

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CORAM : AJIT B. KADETHANKAR, J.

DATE : 23.09.2025

PER COURT :-

CIVIL APPLICATION NO. 10347 OF 2025 (DELAY)

1. Being aggrieved by the judgment and decree dated 23.03.2023, passed by learned 2<sup>nd</sup> Joint Civil Judge, Senior Division, Vaijapur, in Land Acquisition Case No.1255 of 2010, the applicants/appellants have preferred present First Appeal.
2. This Civil Application for condonation of delay of 796 days caused in filing First Appeal.
3. The applicants seek condonation of the delay on the explanation

expressed in the Civil Application.

4. Issue notice to the respondents, returnable on 06.01.2026. Learned AGP waives service of notice for respondent nos.3 and 4.

5. The matter be listed after service of notice is complete. In the meantime, applicants/appellants shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

**CIVIL APPLICATION NO. 10348 OF 2025 (STAY)**

1. Being aggrieved by the judgment and decree dated 23.03.2023, passed by learned 2<sup>nd</sup> Joint Civil Judge, Senior Division, Vaijapur, in Land Acquisition Case No.1255 of 2010, the applicants/appellants have preferred present First Appeal.

2. Mr. Khaire, learned counsel for the applicants would submit that the enhancement assessment has been done excessively, taking departure to the settled parameters for such enhancement. Mr. Khaire would further submit that the acquiring body is ready to deposit the entire payable award amount together with interest in this Court to secure interest of the claimants and to demonstrate the bonafides of the acquiring body. He would further submit that there are strong hopes of success in the First Appeal. That, during the

pendency of the First Appeal, if execution and operation of the impugned judgment and award is not stayed, the very purpose of First Appeal shall stand frustrated.

3. Considering this, execution and operation of the impugned judgment and award is stayed till returnable date on condition that the appellants/applicants deposit the entire payable decretal/award amount together with update interest thereon in this Court within a period of twelve weeks from today. If the amount is not deposited within the given time, stay order stands automatically vacated.

4. Issue notice to the respondents, returnable on 06.01.2026. Learned AGP waives service of notice for respondent nos.3 and 4.

5. The matter be listed after service of notice is complete. In the meantime, applicants/appellants shall take recourse to the provisions enumerated in Chapter II of the Bombay High Court Appellate Side Rules, corresponding to the stage and requirement of matter.

**[AJIT B. KADETHANKAR, J.]**