

IN THE SUPREME COURT OF INDIA  
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S). 7311-7312/2018  
(ARISING FROM SLP (C) NOS. 6907-6908/2016)

DHANRAJ

APPELLANT(S)

VERSUS

THE STATE OF MAHARASHTRA

RESPONDENT(S)

J U D G M E N T

KURIAN, J.

Leave granted.

2. This is a case where reference under Section 18 of the Land Acquisition Act, 1894 was dismissed for non payment of requisite court fee. Attempt for restoration was in vain. The High Court was also not inclined to interfere with the order passed by the Reference Court. Thus, the appellant is before this Court.

3. We find that in similar matters Reference Court has entertained the application(s) on condition of waiver of the statutory benefits for the period covered by delay, pursuant to the orders passed by the High Court.

4. The appeals are hence disposed of as follows:-

Subject to the appellant paying the required court fee, within one month from today, the application for reference will stand restored.

However, we make it clear that in the event of Reference Court granting any enhancement, the appellant shall not be entitled to any statutory benefits for the entire period i.e from the date of dismissal (07.02.2001) of the reference to this date (30.07.2018).

5. Pending applications, if any, shall stand disposed of.

6. There shall be no orders as to costs.

.....J.  
[KURIAN JOSEPH]

.....J.  
[SANJAY KISHAN KAUL]

NEW DELHI;  
JULY 30, 2018.