

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

**CIVIL APPLICATION NO. 1239 OF 2014
IN
FIRST APPEAL (st.) NO. 959 OF 2014**

Bhaurao S/o Sheshrao Late. ...Applicant

versus

The State of Maharashtra & ors. ...Respondents

**WITH
CIVIL APPLICATION NO. 1397 OF 2014
IN
FIRST APPEAL (st.) NO. 1484 OF 2014**

Deorao S/o Madhavrao Late (Died)
through L.Rs.
Mahandabai W/o Deorao Late & ors.

...Applicants

versus

The State of Maharashtra & ors. ...Respondents

.....
Mr. K B. Jadhav, Advocate for applicants.
Mr. S. P. Daund, A. G. P. for respondent/State.
.....

CORAM : M.T. JOSHI, J.

DATE : 12TH FEBRUARY, 2015

ORAL ORDER :

. Heard both the sides.

2. Learned Counsel for the applicants files on record the true copy of the order passed in C. A. No. 3025 of 2011 in F. A. (ST.)

No. 1182 of 2011. Same is accepted and marked 'X' for identification purpose. In the appeal arising out of the same land acquisition proceedings, C. A. No. 3025 of 2011 for condonation of delay in filing the appeal was filed by one another claimant- Uttam Madhavrao Late. In the said application, delay of 1260 days is condoned.

3. In the Civil Application No. 1239 of 2014, there is delay of 2357 days and in the Civil Application No. 1397 of 2014, there is delay of 2370 days in filing the appeal. In the meantime, present applicants have prosecuted the review applications at Exhibit No. A-1 (in C.A. No. 1239/2014) and at Exhibit No. B (in C. A. No. 1397/2014) before the trial Court and same were allowed on 10/03/2010. Therefore, that is one of the cause for more delay.

4. Considering all the facts on record and upon hearing both the sides, present applications are also allowed. Delay is condoned on the condition that the applicants-appellants should not claim any statutory interest over the amount, if any, enhanced by this Court.

5. Civil Applications are accordingly allowed and disposed of.

6. Present proceedings be kept with F. A. No. 139 of 2013.

[M.T. JOSHI, J.]

Tupe/12.02.15