

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**961 CIVIL APPLICATION NO. 13214 OF 2015
IN FAST/2721/2015**

SAMPAT MANOHAR JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr.Choudhary S. S.

And Mr. D.B. Pokale

AGP for respondent State: Mr. B. V. Viradhe

Advocate for Respondent No.2 : Mr. V. M. Humbe

CORAM : A. M. BADAR, J.

DATE : 4th December, 2015

PER COURT :

1. This is an application for condonation of delay of 672 days in filing appeal under section 54 of the Land Acquisition Act.

2. Heard learned counsel for both the sides. Perused the application.

3. The delay occurred in filing of appeal is sufficiently explained and in order to show *bona fides* of applicant, learned counsel for applicant submits that claimant/applicant will file an undertaking before this Court within a period of four weeks to the effect that applicant shall waive all statutory benefits so far as

the period of delay is concerned.

4. The averments made in the application are not controverted by filing counter affidavit.

5. Considering the fact that delay is sufficiently explained and keeping in mind *bona fides on the part* of applicant, delay caused in filing the appeal is condoned.

6. Civil application stands disposed of.

(A. M. BADAR, J.)

JPC