

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.
APPELLATE SIDE JURISDICTION

CIVIL APPLICATION NO. 2736 OF 2016
IN FAST/5498/2016

SOMAJI MOHANRAO DURUGKAR,
THROUGH POWER OF ATTORNEY HOLDER
MAHENDRAKUMAR SOMAJI DURUGKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr. Gajanan K. Sontakke.
AGP for Respondent Nos.1 & 2 : Mr. G. O. Wattamwar.
Advocate for Respondent No.3 : Mr. M. N. Navandar.

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CORAM : **P. R. BORA, J.**
DATE : 22nd August, 2016.

P.C.:

. Not on board. Taken on board.

2 Heard the learned counsel appearing for the respective parties.

3 Delay of 659 days has occurred in filing the present appeal. The learned counsel for the Appellant / Applicant submits that the Appellant is waiving his right to claim any interest of the period of delay in the event he succeeds in the present appeal and the amount of compensation is enhanced. In view of the submission so made, though the learned AGP appearing for Respondent Nos.1 and 2 and Shri Navandar, learned counsel for Respondent No.3 have opposed

for condoning the delay, I am inclined to allow the present application. Hence, the delay caused in filing the present appeal is condoned. The appeal be registered in accordance with law.

4 It is clarified that as submitted by the Appellant / Applicant, he will not be entitled for any interest of the period of delay in the event of success in appeal.

5 Copy of the present order be kept in the papers of appeal.

6 Civil application stands disposed of.

[P. R. BORA, J.]

ndm