

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

35 CIVIL APPLICATION NO. 15147 OF 2015
IN FAST/14139/2015 WITH CA/15148/2015 IN FAST/14223/2015
WITH CA/15150/2015 IN FAST/14225/2015

GANESH LAKHICHAND BEHRA
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER UPPER TAPI PROJECT
HATNUR-1 AND ANOTHER

...
Advocate for Applicants : Kale Ajeet B.
AGP for Respondent No. 1 : C. V. Dharurkar
Advocate for Respondent No. 2 : Chaitali Chaudhari
...

CORAM : T.V. NALAWADE, J.
DATED : 19th January, 2016.

PER COURT :

1. Heard both the sides in applications filed for condonation of delay. The original claimants want to challenge the judgment and award of Reference Court on the point of quantum of compensation. In view of the contentions made in the applications and submissions made, this Court holds that sufficient cause is shown. However, huge delay is caused in filing appeals and there will be question of payment of interest at higher rate, if the compensation is enhanced. In view of these circumstances, the learned counsel for original claimants makes a statement and gives oral undertaking that the claimants will not claim interest in respect of delay period. In view of this statement and oral undertaking, this Court holds that delay can

be condoned. In the result, the applications filed for condonation of delay are allowed and delay is condoned, subject to condition that no interest will be payable in respect of delayed period.

2. Notice in appeals. Learned counsel Smt. Chaudhari waives notice for respondent No. 2 and the learned AGP waives notice for respondent No. 1. Call record and proceeding. List for admission purpose on 7.6.2016.

[T.V. NALAWADE, J.]

SSC/