

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**CIVIL APPLICATION NO.10491/2014
IN
FIRST APPEAL (St) NO.14270/2014**

Bhagwan Shankarrao Chaval, died,
through L.Rs.Laxmibai Bhagwan Chavan
and others.

...Applicants..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri D.M. Kakade, Advocate for applicants.
Shri C.V. Dharurkar, AGP for respondent nos.1 & 2.
Respondent no.3 served.

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CORAM: T.V. NALWADE, J.

DATE: 15.01.2016

ORDER :

1] The application is filed for condonation of delay of 2175 days caused in filing appeal against judgment and award of Reference Court.

2] Heard learned counsel for the applicants and learned AGP for the respondent nos.1 & 2. Nobody appears for the respondent no.3, though served.

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3] In view of the contentions made in the application and the submissions made, this Court holds that sufficient cause is shown to condone the delay. However, there is question of making payment of interest in respect of the period of 2175 days, which is a big period and the interest is at higher rate. In view of this, the learned counsel for the applicants has given an undertaking of the party that they will not be claiming interest in respect of the aforesaid period. In view of this undertaking, the application is allowed. The delay of 2175 days is condoned subject to condition that no interest will be payable of the period of 2175 days if the compensation amount is enhanced.

(T.V. NALAWADE, J.)