

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD
CIVIL APPLICATION NO.9230 OF 2015 IN
FIRST APPEAL ST.NO.20812 OF 2015

Varsha Gangadhar Depe, through
power of attorney given to
Gangadhar Antram Depe

Applicant

Versus

State of Maharashtra & others

Respondents

Mrs.P.G.Sontakke, advocate for the applicant.
Mr.B.V.Virdhe, A.G.P. for Respondents No.1 & 2.
Mr.B.R.Surwase, advocate for Respondent No.3.

**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 12th February, 2016**

PER COURT:

1 This is an application for condonation of delay of 1211 days occurred in presenting the First Appeal challenging judgment and award dated 23.12.2011, passed by Civil Judge, Senior Division, Ahmedpur, in L.A.R. No.197 of 2011.

2 The appellant has tendered an undertaking on record, through her Power of Attorney holder, to the effect that the applicant/appellant will not claim interest for delayed period i.e. for 1211 days and claim towards interest shall stand waived for the aforesaid period. The undertaking is taken on record and marked "X" for identification, which shall bind the applicant/appellant. In view of the undertaking given by the applicant/appellant, in the event of success of appeal, the applicant/appellant shall not be entitled to claim interest for the delayed period of 1211 days.

3 The application seeking condonation of delay occurred
in presenting appeal stands allowed.

4 Civil Application is disposed of.

A.I.S.CHEEMA
JUDGE

adb/ca923015

R.M.BORDE
JUDGE

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Appellant

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**CORAM : R.M.BORDE &
A.I.S.CHEEMA, JJ.
DATE : 12th February, 2016**

PER COURT:

- 1 Heard learned Counsel for respective parties.
- 2 **Appeal is admitted.**
- 3 Learned Counsel for respective respondents waive notice.

**A.I.S.CHEEMA
JUDGE**
adb/ca923015

**R.M.BORDE
JUDGE**