

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

956 CIVIL APPLICATION NO. 11005 OF 2016
IN FAST/22732/2016 WITH CA/11069/2016 IN FAST/22736/2016

SUDAM ASHOK DEORE (PATIL)
VERSUS
SANDIP VITHAL CHOUDHARY AND ANR
...
Advocate for Applicant : Sawant Amol S.
...

CORAM : P.R. BORA, J.
DATE : 26-10-2016.

P.C. :

1. This an application seeking condonation of delay, which has occurred in filing the present appeal for enhancement of the amount of compensation. Delay of 573 days has occurred in filing the appeal. Respondents though are duly served none of them has entered appearance. The learned counsel for the applicants submits that applicant is a illiterate poor person. He could not contact his lawyer and file the appeal and hence the appeal could not be filed within the stipulated period of limitation. The learned counsel further submits that, the appellant will not claim interest on the period of delay. He needs to be given a opportunity to agitate his matter on merits.

2. In view of the fact that, the appellant has undertaken not to claim interest of the period of delay, I am inclined to allow the present application. The application is allowed. Delay caused in filing the appeal is condoned. Appeal be registered in accordance

with law. As undertaken by the appellant that he will not be entitled for any interest of the period of delay in the event he succeeds in the appeal and the amount of compensation is enhanced, on the said enhanced amount of compensation. Copy of the present order be kept in the papers of the appeal. Civil application stands disposed of.

(P.R. BORA)
JUDGE

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