

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

927 CIVIL APPLICATION NO. 13827 OF 2015
IN FAST/26900/2015

NAIBRAO RAMRAO SAWANT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Shri. Ajeet B. Kale, Advocate, for applicant.

Shri. K.N. Lokhande, Assistant Government Pleader, for
respondent Nos.1 and 2.

CORAM: T.V. NALAWADE, J.

DATE : 3rd MARCH 2016

ORDER:

1) Heard learned counsel for the applicant and the learned Assistant Government Pleader for respondent Nos.1 and 2. Nobody is present for respondent No.3.

2) There is delay of 218 days caused in filing appeal. In view of the contentions made in the application and the submission made this Court holds that sufficient cause is shown. However there will be question of making payment of interest at higher rate in respect of this period

of 218 days if the compensation is enhanced. In view of this circumstance, learned counsel for the claimant makes statement and gives undertaking that the claimant will not be claiming interest in respect of this period if the compensation is enhanced.

3) So, the application is allowed. Delay is condoned subject to condition that interest will not be payable on respect of 218 days if the compensation is enhanced.

4) Notice in appeal. It is waived by learned AGP for respondent Nos.1 and 2. Notice to respondent No.3 made returnable on 12th July 2016. Call record and proceeding.

Sd/-
(T.V. NALAWADE, J.)

rsl