

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

29 CIVIL APPLICATION NO. 5261 OF 2015
IN FAST/27706/2014 WITH CA/5256/2015 IN FAST/27972/2014
WITH CA/5257/2015 IN FAST/27939/2014 WITH CA/5258/2015 IN
FAST/27935/2014 WITH CA/5259/2015 IN FAST/27955/2014 WITH
CA/5260/2015 IN FAST/27964/2014 WITH CA/5262/2015 IN
FAST/27941/2014 WITH CA/5264/2015 IN FAST/27950/2014

MAHAMADSAB YAKUBSAB MOMIN
VERSUS
STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Chillarge Subhash S.
AGP for Respondent No. 1 : K.N. Lokhande
Advocate for Respondent No. 2 : Ansingkar Dipali S.
...

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

PER COURT :

1. Heard both the sides in civil applications filed for condonation of delay. In view of the contentions made in the applications and the submissions made, this Court holds that sufficient cause is shown. The original claimants want to challenge the judgments and awards of the Reference Court on the point of quantum of compensation. However, 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 applicants, original claimants makes a statement and gives oral undertaking that the claimants will not be claiming interest in respect of delay period i.e. 1796 days. In

view of this statement and oral undertaking given, this Court holds that delay needs to be condoned.

2. In the result, applications filed for condonation of delay are allowed. Delay is condoned, subject to condition that no interest will be payable in respect of the period of 1796 days, if compensation is enhanced.

3. Notice in appeals. It is waived by the learned AGP for State and learned counsel Smt. Deepali Ansingkar for Acquiring Body. Call record and proceedings. List the matters for admission purpose on 20.4.2016.

[T.V. NALAWADE, J.]

ssc/