

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

938 CIVIL APPLICATION NO. 1461 OF 2013
IN FAST/33459/2012

SK. ALI SK. ISMAIL
VERSUS
SWAMI RAMANAND TIRTH MARATHWADA UNIVERSITY
AND ORS

Shri. Pratap Mandlik Advocate, holding for Shri. Amol S. Gandhi, Advocate, for applicant.

Shri. U.S. Malte, Advocate, for respondent No.1.

Shri. S.R. Yadav, Assistant Government Pleader, for respondent Nos.2 and 3.

CORAM: T.V. NALAWADE, J.

DATE : 3rd MARCH 2016

ORDER:

1) The application is filed for condonation of delay of 465 days caused in filing appeal against the judgment and award of the Reference Court. Original claimant wants to file appeal. Both the sides are heard.

2) In view of the contentions made in the application and the submissions made this Court holds

that, sufficient cause is shown. However, there will be question of making payment of interest in respect of 465 days. The learned counsel for the original claimant makes statement and gives undertaking that the claimant will not be claiming interest in respect of the period of 465 days if the compensation is enhanced. In view of this statement made by the learned counsel the application is allowed. Delay is condoned subject to condition that no interest will be payable in respect of the period of 465 days.

3) Notice in appeal. Learned counsel waives for acquiring body. Learned AGP waives for respondent Nos.2 and 3. List the present matter and First Appeal No. 2305/2012 for final hearing at admission stage. Call record and proceedings. Stand over to 11th April 2016.

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

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