

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2769 OF 2016
IN FAST/37719/2015 WITH CA/2770/2016 IN FAST/37874/2015 WITH
CA/2771/2016 IN FAST/37876/2015 WITH CA/2772/2016 IN FAST/37878/2015
WITH CA/2773/2016 IN FAST/37880/2015 WITH CA/2774/2016 IN
FAST/37882/2015 WITH CA/2775/2016 IN FAST/37849/2015 WITH
CA/2776/2016 IN FAST/37871/2015 WITH CA/2777/2016 IN FAST/37842/2015
WITH CA/2778/2016 IN FAST/37846/2015 WITH CA/2779/2016 IN
FAST/37852/2015

CHUNNUMIYA ISULAL SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Advocate for Applicant : Mr. Amit S. Deshpande
AGP for respondent No.1 : Mr. A.V. Deshmukh
Advocate for respondent No.2 : Mr. S.S. Dande.

**CORAM : S.V. GANGAPURWALA &
K.K. SONAWANE, JJ.**

DATE : 15th APRIL, 2016.

PER COURT:

1] Heard. Notice to respondents. AGP waives notice for respondent No.1. Mr. Dande, learned counsel waives notice for respondent No.2.

2] These are applications for condonation of delay. Learned counsel for the respondents opposed the applications on the ground that there is inordinate delay. Mr. Deshpande submits that the applicants were not aware of the legal proceedings.

3] The averments made in the application are not controverted. It appears that the appeals filed by the Acquiring Body are also admitted by this court. The applicants could have filed cross objection for enhancement of compensation. Apart from the averments, the applicants have also filed an undertaking in the application itself stating therein that, they would not

claim interest for the delayed payment.

4] In view of above, civil applications are allowed. Delay caused in filing the appeals is condoned with a rider that in case appeals filed by the applicants are allowed, the applicants would not claim statutory benefits from the date of the judgment delivered by respondent No.2 till 16th November, 2015. Civil applications are accordingly disposed of.

[K.K. SONAWANE,J.]

[S.V.GANGAPURWALA,J]

grt/-