

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

CIVIL APPLICATION NO.5428 OF 2017 IN
FIRST APPEAL STAMP NO.13602 OF 2017

Dattu Nathu Kulle, Died L.Rs.
Ushabai Dattu Kulle & ors. ... APPLICANTS

VERSUS

The State of Maharashtra & others ... RESPONDENTS

.....
Shri A.B. Kale, Advocate for applicant
Shri C.V. Dharurkar, A.G.P. for State
Mrs. Chaitali Chaudhari - Kutti, Advocate for acquiring body
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CORAM: **V.K. JADHAV, J.**

DATED: **19th April, 2017.**

ORAL ORDER :

1. Heard both sides.
2. Learned counsel for the applicants submits that, due to drought situation and financial constraints, the applicants could not prefer the appeal within limitation and thus, delay caused in filing the appeal. Learned counsel for the applicants submits that, the applicants will not claim any interest for the delayed period and the applicants have already submitted undertaking to that effect before this Court. In view of the submission made on behalf of the applicants and for the reasons

stated in the application, the delay caused in filing the appeal is hereby condoned. In terms of the undertaking submitted before this Court, the applicants shall not be entitled for interest on the enhanced compensation amount for the delayed period if the applicants succeed in the Appeal preferred in this Court for enhancement of the amount.

3. In view of the above, Civil Application seeking condonation of delay is allowed and disposed of.

(V.K. JADHAV)
JUDGE