

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

CIVIL APPLICATION NO.5396 OF 2017 IN
FIRST APPEAL STAMP NO.13634 OF 2017

Bhikari Ziparu Patil ... APPLICANT

VERSUS

The State of Maharashtra & ors. ... RESPONDENTS

.....
Shri A.B. Kale, Advocate for applicant
Shri B.V. Virde, A.G.P. for State
Mrs. Chaitali Chaudhari - Kutti, Advocate for acquiring body
.....

CORAM: **V.K. JADHAV, J.**

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

ORAL ORDER :

1. Heard both sides.
2. Learned counsel for the applicant submits that, due to drought situation and financial constraints, the applicant could not prefer the appeal within limitation and thus, delay caused in filing the appeal. Learned counsel for the applicant submits that, the applicant will not claim any interest for the delayed period and the applicant has already submitted undertaking to that effect before this Court. In view of the submission made on behalf of the applicant 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 applicant shall not be entitled for interest on the enhanced compensation amount for the delayed period if the applicant succeeds 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

fmp/ca5396.17