

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

927 CIVIL APPLICATION NO. 8435 OF 2016
IN FAST/16409/2016

THE STATE OF MAHARASHTRA AND ANR
VERSUS
YAMUNABAI MALJI TELI CHAUDHARI AND ORS

...
AGP for Applicants : Mr. S.R. Yadav
...

CORAM : K.K. SONAWANE, J.

DATED : 19th DECEMBER, 2017.

Order :-

1. Heard learned AGP for the applicants-State authorities. Despite service of notice none appears on behalf of respondents/original claimants. Perused the application.

2. This is an application for condonation of 1868 days delay caused in filing the appeal against impugned judgment and award of the Reference Court in LAR No. 322 of 2001. According to learned AGP, the so-called delay was not intentional or deliberate but caused due to official process. He submits that exorbitant compensation came to be enhanced by the Reference Court in favour of claimants in this case. He prayed to condone the delay.

3. In view of submissions and reasons mentioned in the application there is no impediment to condone the delay. There are allegations about the exorbitant amount enhanced by the Reference Court, in such circumstances public funds would be at stake and no individual would be affected. In order to provide reasonable opportunity to the

applicant, the delay is required to be condoned by adopting liberal and pragmatic approach in this case. Hence, the application stands allowed in terms of prayer clause B. The delay caused in filing the appeal against impugned judgment and award is hereby condoned. Registry to take requisite steps for further process.

4. On registration of appeal, issue notice to respondents.
5. List the appeal for admission in due course.

Sd/-
[K. K. SONAWANE]
JUDGE

MTK.