

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

CIVIL APPLICATION NO. 11564 OF 2012

IN FAST/22851/2012

WITH CA/15397/2011 IN FAST/27676/2011
WITH CA/15398/2011 IN FAST/27679/2011
WITH CA/15399/2011 IN FAST/27664/2011
WITH CA/15400/2011 IN FAST/27661/2011
WITH CA/15457/2011 IN FAST/26818/2011
WITH CA/15458/2011 IN FAST/26837/2011
WITH CA/15459/2011 IN FAST/26843/2011
WITH CA/15460/2011 IN FAST/26856/2011
WITH CA/15461/2011 IN FAST/26825/2011
WITH CA/15462/2011 IN FAST/26849/2011
WITH CA/15463/2011 IN FAST/26828/2011
WITH CA/1039/2012 IN FAST/33834/2011
WITH CA/1040/2012 IN FAST/33482/2011
WITH CA/1041/2012 IN FAST/33485/2011
WITH CA/1042/2012 IN FAST/33480/2011
WITH CA/1043/2012 IN FAST/33832/2011
WITH CA/11630/2012 IN FAST/22848/2012
WITH CA/8057/2013 IN FAST/14470/2013
WITH CA/12867/2013 IN FAST/14465/2013

GANGADHAR NIVRATI JADHAV
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. N. S. Shah, h/f Mr. Sharad V. Natu.

AGP for Respondent Nos.1 & 2 : Mr.C.V.Dharurkar.

Advocate for Respondent No.3: Mr. S. D. Dhongade / Mr. Umakant K. Patil/
Mr. P. G. Umakant / Mr. B. R. Surwase / Mr. Sudhir G. Bhalerao.

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

DATE : 09th January, 2017.

P.C.:

. The learned counsel for Applicants submits that though
the award passed in the year 2008, the Applicants / original Claimants

received the amount of compensation in the year 2011. Thus, due to financial constraint, the Applicants / original Claimants could not prefer the appeals within the period of limitation and thus, the delay has been occurred.

2 The learned AGP appearing for Respondent Nos.1 and 2 and the learned counsel appearing for the acquiring body strongly resisted the applications and in the alternate submit that in case if the Applicants / original Claimants succeed in appeals, the Applicants should furnish an undertaking to the effect that he/they would not claim any interest / statutory benefits of the aforesaid period for which the delay sought to be condoned.

3 In view of the above and for the reasons stated in the applications, the delay caused in filing the first appeals is hereby condoned on the condition that the Applicants / original Claimants shall furnish an undertaking to the effect that in case the appeals are allowed and the compensation is enhanced by this Court, the Applicants / original Claimants will not claim any statutory benefits / interest for the period of which delay sought to be condoned.

4 The Applicants shall furnish the aforesaid undertaking within four weeks from the date of this order.

5 Accordingly, all the civil applications for condonation of delay are allowed and disposed of.

[V. K. JADHAV, J.]

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