

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

519 CIVIL APPLICATION NO. 1902 OF 2017
IN FAST/26166/2016

DHANAPPA GURSIDHAPPA PATNE DIED THR LR MALLINATH
DHANAPPA PATNE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondents: Mr. B.V. Virdhe
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CORAM : V. K. JADHAV, J.
DATED : 18th APRIL, 2017

PER COURT:-

1. Heard learned counsel for the applicant. This Court in the appeals preferred by the original claimants from the same award has enhanced the compensation amount. The applicant-claimant is ready to waive the interest and other statutory benefits for the aforesaid period and by condoning the delay the appeal preferred by the applicant may be heard on merits as he is entitled for the same enhancement as awarded by this court in the said appeals.

2. The Reference Court has decided the Reference petitions way back in the year 1991 and thereafter this Court enhanced the compensation in the year 2009. Even after disposal of appeals by this Court, for 7 years, the applicant has not filed any appeal. I find no substance in the submissions made on behalf of the applicant. The delay is inordinate one i.e. for 24 years and 212 days and the same is not explained satisfactorily. Hence, civil application seeking condonation of delay is rejected. Refund of court fees as per Rule.

(V. K. JADHAV, J.)