

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

**942 CIVIL APPLICATION NO.14961 OF 2016
IN FAST/28006/2016**

RAMAKANT KONDIBA SUPEKAR DIED
THR LRS LILAWATI AND ORS

.. Applicants

VERSUS

THE STATE OF MAHARASHTRA
AND ORS

.. Respondents

...

Advocate for Applicants : Shri. R.V. Naiknavare
AGP for Respondents No.1 & 2: Shri. R.B. Bagul
Advocate for Respondent No.3 : Shri. M.N. Navarde

...

**CORAM : P.R. BORA, J.
Dated: August 02, 2017**

PER COURT :-

. The delay of 1024 days has occurred in filing the present appeal by the original claimant. Shri. Navarde the learned Counsel for the respondent no.3 has opposed for condoning the delay stating that, the reasons which are assigned in the application are insufficient to condone the delay. I have gone through the contents of the application. The reasons which are assigned cannot be outrightly rejected. Moreover, the appellant - applicant has undertaken not to claim any interest for the period of delay in the event the appeal is allowed and the amount of compensation is enhanced, on the enhanced amount of compensation. As such, I am inclined to allow the present application. Hence, the following order.

ORDER

1. The application is allowed.
2. The delay of 1024 days caused in filing the appeal is condoned. The appeal be registered in accordance with law. As undertaken by the appellant, he will not be entitled for any interest for the period of delay in the event the appeal is allowed and the amount is enhanced, on the enhanced amount of compensation. Civil application stands disposed of.
3. The copy of the present order be kept along with the papers of appeal.

(P.R. BORA, J.)

ggp