

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

**932 CIVIL APPLICATION NO. 14654 OF 2016
IN FAST/29346/2016**

DASHRATH BAPURAO BAGAL .. Applicant

VERSUS

THE STATE OF MAHARASHTRA AND ORS .. Respondents

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Advocate for Applicant : Shri. Arun H. Koralkar
AGP for Respondents No.1 & 2 : Shri. C.V. Dharurkar
Advocate for Respondent No.3 : Shri. S G Karlekar

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936 CIVIL APPLICATION NO. 14700 OF 2016
IN FAST/30668/2016

939 CIVIL APPLICATION NO. 14716 OF 2016
IN FAST/29919/2016

943 CIVIL APPLICATION NO. 14988 OF 2016
IN FAST/28865/2016

946 CIVIL APPLICATION NO. 15024 OF 2016
IN FAST/29975/2016

947 CIVIL APPLICATION NO. 15038 OF 2016
IN FAST/29061/2016

948 CIVIL APPLICATION NO. 15045 OF 2016
IN FAST/29067/2016

949 CIVIL APPLICATION NO. 15085 OF 2016
IN FAST/29077/2016

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

PER COURT :-

. Delay ranging in between 1156 to 1604 days has occurred in filing the present appeals by the claimants. It is the contention of the applicants that, mainly because of the financial crunch, they could not approach this Court for filing the appeals. The consecutive drought situation is also a reason stated for preventing the applicants from approaching the Court. The learned Counsel for the applicants, on instruction, has undertaken that, the appellants / applicants will not claim any interest of the period of delay in the event they succeed in appeal and the amount of compensation is enhanced, on the said enhanced amount of compensation. The learned AGP though has opposed for condoning the delay stating that the reasons are insufficient, having considered the reasons stated in the application, which according to me, cannot be outrightly rejected and further considering the fact that, the applicants have undertaken not to claim any interest for the period of delay, I am inclined to allow these applications. Hence, the following order is passed.

ORDER

1. The applications are allowed.
2. The delay caused in filing the appeals is condoned. The appeals be registered in accordance with law. It is clarified that, as

undertaken by the appellants – applicants, they will not be entitled for the interest for the period of delay in the event the appeals are allowed and consequently the amount of compensation is enhanced on the said enhanced amount of compensation. Civil applications stand disposed of.

3. The copy of the present order be kept along with the papers of appeal.

(P.R. BORA, J.)

ggp