

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

903 CIVIL APPLICATION NO. 15591 OF 2015
IN X-OBJST/28982/2015

SHKUNTALABAI ARJUN NARWADE

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

904 CIVIL APPLICATION NO. 16655 OF 2015
IN X-OBJST/35889/2015

JAINARAYAN BANSILAL RATHI AND OTHERS

VERSUS

THE STATE OF MAHARASHTRA AND ORS

WITH

905 CIVIL APPLICATION NO. 235 OF 2016
IN X-OBJST/35940/2015

SHIVPRASAD GOVARDHAN GAGRANI

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicant : Mr. Kale Ajeet B.

AGP for Respondents State: Mr. S. S. Dande

Advocate for Respondent No.3 : Mr. S G Bhalerao

CORAM : K. L. WADANE, J.

DATE : 7th September, 2017

ORDER:

1. Heard Mr. Kale, learned counsel for the applicants, learned AGP for respondent Nos. 1 and 2 and Mr. Bhalerao, learned counsel for respondent No.3.

2. These are applications for condonation of delay of 1746 days, 1805 days and 1799 days respectively caused in filing an Appeals against the judgment and award by the Reference Court.

3. Mr. Kale, the learned counsel for the applicants submits that the applicants are financially poor and due to financial clutches, they could not file the

proceeding in time. Learned counsel for the respondents opposed the application on the ground that there is inordinate delay in filing the X-objections. The delay caused in filing the appeal is not accidental and it is an intentional.

4. In view of the observations made by the Supreme Court in the case of **Ramanlal Deochand Shah Vs. State of Maharashtra and another, reported in AIR 2013 SC 3452**, the delay can be condoned on the condition that in case the appellants are succeeded in the appeals/X-objections, then they will not be entitled for the amount of interest on monetary benefits and/or other statutory benefits for the period of delay.

5. In view of the above, the delay caused in filing the X-objections is hereby condoned. Civil applications are accordingly disposed of.

6. X-objections be registered. After registration of the X-objections, issue notice to the respondents. Learned AGP waives service of notice for respondent No.1 and 2. Mr. Bhalerao, the learned counsel waives notice for respondent No.3.

(K. L. WADANE, J.)

JPC