

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

CIVIL APPLICATION NO. 5386 OF 2017
IN FAST/6325/2017

KERBA SONBA BHILLARE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Sudhir P. Telgote h/f. Mr. Anant R. Devakate
AGP for Respondent No.1 : Mr. A. P. Basarkar.
Advocate for Respondent No.2 : Mr. Gulab B. Rajale
...

CORAM : SUNIL K. KOTWAL, J.

DATED : 05th OCTOBER, 2018.

ORDER :-

Heard learned counsel for applicant, learned AGP for respondent No.1 and learned counsel for respondent No. 2.

2. Considering ground of financial crisis and lack of knowledge regarding niceties in the matter, the delay of 2135 days in filing first appeal is condoned subject to filing of written undertaking in the First Appeal Stamp No. 6325 of 2017 that the appellant-claimant waives the statutory interest on the compensation amount for the delayed period. Undertaking be filed within four (4) weeks from the date of this order. Civil Application is disposed of accordingly.

3. First Appeal Stamp No. 6325 of 2017 be registered.

4. Issue notice to respondents, returnable on 22-11-2018.

5. Mr. Basarkar, learned AGP waives service of notice for respondent No. 1. Mr. Rajale, learned counsel waives service for respondent No. 2.

6. Call for record and proceedings.

**[SUNIL K. KOTWAL]
JUDGE**

rrd.