

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11687 OF 2016
IN RC/271/2012 IN FAST/28121/2011

BANDAPPA SHANTAPPA JALKOTE (DIED) LRS SUSHILABAI
BANDAPPA JALKOTE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Mr. D.H. Jadhavar, Advocate for applicants
Mr. B.V. Virdhe, AGP for respondent-State
...

CORAM : SUNIL P. DESHMUKH, J.
DATE : 26-03-2018

ORDER :

1. Heard learned counsel for the applicants and learned A.G.P.

2. It appears that subsequent to order dated 28-02-2012 passed by the Registrar, there have been further orders directing applicants to file paper book, which according to learned counsel has already been filed. He submits that objection about filing general power of attorney could not be met with due to variety of reasons. There had been no deliberate intention and as a matter of fact, as it could be seen, interest of the applicants themselves would be hampered by delay.

3. In view of aforesaid, civil application is allowed in terms of prayer clauses (A) and (B) on the condition that applicants shall file undertaking to the effect that if the appeal is allowed and compensation is enhanced, in such a case, they will not claim interest on enhanced compensation amount for the period of delay and that objections would be removed within a period of three weeks.

[SUNIL P. DESHMUKH]
JUDGE

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