

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

**1027 CIVIL APPLICATION NO.4847 OF 2018
IN FAST/5694/2018**

**BABAN KAHANU MHASKE
VERSUS
THE EX. ENGINEER, URDHAWA RAVARA DHARAN VIBHAG,
GHULEWADI THR THE GMIDC AURANGAB**

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Advocate for Applicant : Mr. Bide Dnyaneshwar A
AGP for Respondents/State : Mr. R.B. Bagul
Advocate for Respondent No.1 : Ms. S.D. Shelke

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed for getting the delay of 2137 days condoned in filing first appeal. The applicant is the original claimant. He wants to challenge the judgment and award passed by the Reference Court for enhancement.

2. The application has been strongly objected by the learned Advocate appearing for respondent No.1-acquiring body as well as learned AGP on the ground that the delay is huge and inordinate.

3. Taking into consideration the reasons mentioned in the application as well as in the additional affidavit dated 07.08.2018, the delay stands condoned.

4. Civil Application stands allowed and disposed of accordingly.

5. Taking into consideration the undertaking and also the fact that there was delay, the applicant is not allowed to get interest of 2137 days in case of success in his appeal.

6. Registry to verify and register the first appeal and place it for further consideration on 05.09.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/