

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

**1063 CIVIL APPLICATION NO.4480 OF 2019
IN FAST/7510/2019**

**JAGANNATH KERBA KOKATE ANDORS
VERSUS
THE STATE OF MAHARASHTRA AD ANR**

...
Advocate for Applicants : Mr. More Abhijit S.
AGP for Respondents/State : Mr. R.B. Bagul
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed by the claimants for getting the delay of 1084 days condoned in filing first appeal. They want to challenge the judgment and award passed by the learned Reference Court for enhancement. Learned AGP representing respondent No.1 is strongly objecting to the application stating that the delay has not been properly explained. Though respondent No.2-acquiring body is served, however, failed to appear.

2. Taking into consideration the fact that the applicants are agriculturist, coming from rural area, whose land has been acquired, delay deserves to be condoned. Accordingly, delay stands condoned.

3. Civil Application is allowed and disposed of accordingly.
4. It is clarified that the applicants are not entitled to get interest of 1084 days in case of success to their appeal.
5. Registry to verify and register the first appeal and place it for further consideration on 14.11.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/