

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

**972 CIVIL APPLICATION NO.14088 OF 2018
IN FAST/8513/2018**

**INDUBAI ANANDA WAGHMARE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
Advocate for Applicants : Mr. V.P.Narwade & Mr. M.V. Narwade
AGP for Respondents/State : Mr. S.P. Deshmukh
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. Present application has been filed by the original claimant for getting the delay of 2940 days condoned in filing first appeal. The claimant intends to challenge the judgment and award passed by the learned reference Court in order to enhance the compensation.

2. Learned AGP has strong objection to allow the application on the ground that the delay is huge and inordinate and has not been properly explained.

3. Taking into consideration the fact that the applicant is senior citizen, whose land has been acquired, so also she is illiterate woman and

coming from rural area, liberal approach is taken, delay stands condoned.

4. Civil Application stands allowed and disposed of accordingly.
5. Registry to verify and register the first appeal and place it for further consideration on 16.12.2019.
6. It is clarified that the applicant is not entitled to get interest for the the period of 2940 days in case of success to her appeal.

(SMT. VIBHA KANKANWADI, J.)

SCM