

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

**995 CIVIL APPLICATION NO.10311 OF 2019
IN FAST/8452/2019**

**DASHRATH ZIPRU CHAUDHARI (DIED) THR LRS KALABAI AND ORS
VERSUS
THE COLLECTOR, JALGAON AND ORS**

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Advocate for Applicants : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent No.3 : Mr. A.D. Pawar

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27th SEPTEMBER, 2019.

ORDER :

- . Present application has been filed by the original claimants for getting the delay of 2546 days condoned in filing first appeal.
2. Original claimants intend to challenge the judgment and award passed by the learned reference Court for enhancement.
3. Learned AGP representing respondent Nos.1 and 2 has raised strong objection on the ground that the delay has not been properly explained.

4. Taking into consideration the fact that the applicants are the original claimants whose lands were acquired, liberal approach is required to be taken and therefore, delay stands condoned.
5. Civil Application stands allowed and disposed of accordingly.
6. It is clarified that the applicants are not entitled to get interest for the period of 2546 days in case of success to their appeal.
7. Registry to verify and register the first appeal and place it for further consideration on 08.01.2020.

(SMT. VIBHA KANKANWADI, J.)

SCM