

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

**1002 CIVIL APPLICATION NO.10395 OF 2019
IN FAST/8687/2019**

**MOHAMMAD AARIF PIR MOHAMMAD
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, JALGAON-1 AND ANR**

...
Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent No.2 : Mr. A.D. Pawar
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27th SEPTEMBER, 2019.

ORDER :

- . Present application has been filed by the original claimant for getting the delay of 1494 days condoned in filing first appeal.
2. Original claimant intends to challenge the judgment and award passed by the learned reference Court for enhancement.
3. Learned AGP representing respondent No.1 has raised strong objection on the ground that the delay has not been properly explained.
4. Taking into consideration the fact that the applicant is the original claimant whose land was 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 applicant is not entitled to get interest for the period of 1494 days in case of success to his 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