

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

**983 CIVIL APPLICATION NO.6068 OF 2019
IN FAST/10622/2019**

**KASHINATH MUKTAJI WAHATULE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
Advocate for Applicant : Mr. Pahune Patil Nandkishor J.
AGP for Respondents/State : Mr. A.M. Phule
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 27th SEPTEMBER, 2019.

ORDER :

. Present application has been filed by the original claimant for getting the delay of 1415 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 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 applicant is the 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 1415 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