

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

**1030 CIVIL APPLICATION NO.7838 OF 2018
IN FAST/13015/2018**

**BALIRAM BHAGAWAN MAHER (MAI)
VERSUS
THE STATE OF MAHARASHTRA AD ORS**

...
Advocate for Applicant : Mr. Naiknavare Ramesh V.
AGP for Respondents/State : Mr. P.M. Kulkarni
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed for getting the delay of 1213 days condoned in filing first appeal. The original claimant intends to challenge the judgment and award passed by the learned Reference Court for enhancement. The application has been strongly objected by learned AGP appearing for respondent Nos.1 and 3. Though respondent Nos.2, 4 and 5 were served, none appeared. Learned AGP submits that the delay is huge and inordinate and has not been properly explained.

2. Taking into consideration the fact that since the agricultural land belonging to the applicant was acquired, liberal approach is taken and therefore, delay stands condoned.

3. Civil Application stands allowed and disposed of accordingly.
4. It is clarified that the applicant will not be entitled to get interest for the delay of 1213 days in case of success in his appeal.
5. Registry to verify and register the first appeal and place it for further consideration on 30.09.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/