

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

**1045 CIVIL APPLICATION NO.13272 OF 2017
IN FAST/15844/2016**

**VIKAS DATTATRAY PADWAL AN ANR
VERSUS
THE STATE OF MAHARASHTRA AD ORS**

...
Advocate for Applicant : Mr. Rakhunde Pravin B
AGP for Respondent Nos.1 & 2 : Mr. A.M. Phule
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 12th JULY 2019

ORDER :

1. Present application has been filed for getting the delay of 668 days condoned in filing First Appeal. The applicants are the original claimants. They want to challenge the judgment and award passed by the reference Court for enhancement. The application has been objected by the learned AGP for respondent Nos.1 and 2. Though respondent No.3 is served, nobody appears. It has been submitted by the learned AGP that the delay is huge and inordinate and not properly explained.

2. Taking into consideration the fact that the applicants are coming from rural area, their land was acquired and therefore, liberal approach is taken. For the reasons stated in paragraph Nos. 2 to 4, delay is hereby condoned.

3. Civil Application stands allowed and disposed of accordingly.

4. It is clarified that the applicants will not get interest for 668 days in case of enhancement at the conclusion of the First Appeal.

5. Registry to verify and register the First Appeal and place it for further consideration on 24.09.2019

(Smt. Vibha Kankanwadi, J.)

Shubham/