

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

**1014 CIVIL APPLICATION NO.10479 OF 2016
IN FAST/19340/2016**

**PANDURANG BHIKA MARATHE
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

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Advocate for Applicants : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. P.M. Kulkarni

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

1. Present application has been filed by the original claimant for getting the delay of 2599 days condoned in filing first appeal. He intends to challenge the judgment and award passed by the learned reference Court for enhancement. Learned AGP strongly objecting to the application on the ground that the delay is huge and inordinate.

2. However, taking into consideration the fact that the applicant is illiterate, coming from rural area and is aged about 64 years, therefore, leniency is shown and delay stands condoned.

3. Civil Application stands allowed and disposed of accordingly.

4. It is made clear that the applicant will not be entitled to get interest for 2599 days, in case of success in his appeal.
5. Registry to verify and register the first appeal and place it for further consideration on 19.11.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/