

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**980 CIVIL APPLICATION NO.9036 OF 2017
IN FAST/20944/2017**

UDHAV MANIKRAO SAMUDRE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Rakhunde Pravin B
AGP for Respondents/State : Mr. R.B. Bagul
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd AUGUST, 2019

ORDER :

. Present application has been filed by the original claimant for getting the delay of 1583 days condoned in filing first appeal. The claimant wants to challenge and get enhancement in the compensation awarded by the learned Reference Court.

2. Learned AGP representing respondent No.1 vehemently objects to the application stating that the delay is huge and inordinate and has not been properly explained.

3. It is to be noted that the claimant is an agriculturist, who comes from rural area and it is stated that since 2010 to 2016 there was draught situation in his district and therefore, he could not arrange for

the expenses. Therefore, taking into consideration the said reason, liberal approach deserves to be taken. Delay stands condoned.

4. Civil Application stands allowed and disposed of accordingly.

5. It is clarified that the applicant is not entitled to get interest for the said period of 1583 days in case of success to his appeal.

6. Registry to verify and register the first appeal and place it for further consideration on 18.12.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/