IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

981 CIVIL APPLICATION NO.10522 OF 2016
IN FAST/20842/2016

VITHAL BHAURAO MAGAR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Jadhav Kailas B
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent No.3 : Mr. S.P. Sonpawale & Mr. M.C. Swami
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 2nd AUGUST, 2019.

ORDER :

. Present application has been filed by the original claimant for getting the delay of 3397 days condoned in filing first appeal. He intends to challenge the judgment and award passed by the learned Reference Court for enhancement.

02. Learned AGP representing respondent Nos.1 and 2 has strong objection on the ground that the delay has not been properly explained. However, taking into consideration the fact that the claimant is an agriculturist, coming from rural area, liberal approach is taken, delay stands condoned.

03. Civil Application stands allowed and disposed of accordingly.

04. Taking into consideration the undertaking given by the applicant, he is not entitled to the interest for a period of 3397 days in case of success to his appeal.

05. Registry to verify and register the first appeal and place it for further consideration on 17.10.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/