

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 CIVIL APPLICATION NO.12005 OF 2017
IN FAST/23571/2017

MANGALBAI GANGADHAR PATIL AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Gundre Suraj V
AGP for Respondents: Mr. R. B. Bagul.
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CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 01-07-2019.

PER COURT :

1. Issue notice to respondents.
2. Learned AGP waives notice for all respondents.
3. Present application has been filed for getting the delay condoned of 1853 days in filing first appeal. Since the claimants intend to challenge Judgment and award passed by Reference Court on the ground of inadequacy, however there is delay that has been tried to be explained in para No.3 in particular, the delay deserves to be condoned. However at the same time the learned AGP makes submission that the appellants then should waive the interest for the delayed period.

4. Under such circumstance, the application is hereby allowed and disposed of accordingly. The delay in filing the first appeal is hereby condoned. The applicants will not be entitled to get interest for the period of delay.

5. Registry to verify and register the appeal and place it for further consideration on 09-12-2019.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-