

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

**1032 CIVIL APPLICATION NO.11123 OF 2018
IN FAST/23099/2018**

**SHIVAJI RAYBHAN INGALE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

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Advocate for Applicant : Mr.Shelke Avishkar S. & Mr.Hajare Abhishek M.
AGP for Respondents/State : Mr. A.M. Phule
Advocate for Respondent No.3 : Mr. S.G. Sangle

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed by the original claimant for getting the delay of 432 days condoned in filing first appeal. He wants to challenge the judgment and award passed by the Reference Court for enhancement. Taking into consideration the fact that the applicant is agriculturist, whose land has been acquired, liberal approach is taken and for the reasons mentioned in the application, the delay stands condoned though it has been strongly opposed by the learned AGP as well as learned Advocate representing the acquiring body.

2. Civil Application is allowed and disposed of accordingly.

3. It is clarified that the applicant is not entitled to get interest on the enhanced compensation for a period 432 days in case of success in his appeal.

4. Registry to verify and register the first appeal and place it for further consideration on 19.09.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/