

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

75 CIVIL APPLICATION NO.14330 OF 2018
IN FAST/24704/2018

JAKIYA BEGUM PASHAULLA KHAN AND ORS
VERSUS
UNION OF INDIA

...

76 CIVIL APPLICATION NO.14331 OF 2018
IN FAST/24701/2018

SAHAJADIBEGUM SHAIKH MULANA AND ANR
VERSUS
UNION OF INDIA

...

77 CIVIL APPLICATION NO.14333 OF 2018
IN FAST/24699/2018

SUSHMA CHANDRAKANT DESAI AND ORS
VERSUS
UNION OF INDIA

...

78 CIVIL APPLICATION NO.14336 OF 2018
IN FAST/24708/2018

SANDHYA GANGADHAR HATODE AND ORS
VERSUS
UNION OF INDIA

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Advocate for Applicants : Mr. Pavankumar S. Agrawal
Advocate for Respondent : Mr.S.S.Rathi and Mr.M.N.Navandar

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CORAM : P.R.BORA, J.

DATE: 21st January, 2019

PER COURT:-

1 Heard Mr.P.S. Agrawal, learned counsel appearing for the applicants, Mr. S.S. Rathi and Mr.M.N.Navandar, learned counsel

appearing for the respondent.

2 Delay ranging from 295 to 362 days has occurred in filing the appeals. It is contended that being unaware of the legal provisions and facing financial difficulties, the applicants could not file the appeals in stipulated period. Learned counsel submitted that substantial grounds are raised in exception to the impugned judgments and awards and as such opportunity needs to be given to the applicants to prosecute their appeals on merits.

3 Learned counsel appearing for the respondent has opposed the submission so made on behalf of the applicants. The learned counsel submitted that the reasons as are assigned cannot be considered for condoning the huge delay. In the alternative the learned counsel submitted that if the Court inclines to condone the delay, burden of payment of interest may not be saddled on the respondent for the period of delay.

4 Having considered the submissions, I deem it appropriate to pass the following order:-

ORDER

- I) The applications are allowed and disposed of.
- II) The delay caused in filing the appeals is condoned.

- III) The appeals be registered in accordance with law.
- IV) It is clarified that the appellants – claimants shall not be entitled to claim interest for the period of delay in the event of their success in appeals.
- V) Copy of the present order be kept alongwith papers of appeals.
- VI) On registration of the appeals, issue notice to the respondent. Learned Counsel for the respondent waives notice on behalf of the respondent. Service complete.
- VII) List the appeals for further consideration on 04.03.2019.
- VIII) R & P be called.

(P.R.BORA)
JUDGE

vbd