

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

**1012 CIVIL APPLICATION NO.14553 OF 2015
IN FAST/25468/2014**

**SAKHARAM DHONDIBA LINGE DID THROUGH LRS
CHANDRABHAGAAND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AD OTHERS**

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Advocate for Applicants : Mr. Yadav Santosh R. & Mr. Joshi Sachin G
AGP for Respondents/State : Mr. R.B. Bagul
Advocate for Respondent No.3 : Mr. S P Sonpawale

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

1. Present application has been filed by the original claimants for getting the delay of 2133 days condoned in filing first appeal. They are the legal heirs of original claimant. They want to file appeal challenging the judgment and award passed by the learned Reference Court and want to claim enhancement in the compensation.

2. Learned AGP vehemently opposed the application on the ground that the delay is huge and inordinate and has not been explained properly. However, taking into consideration the fact that the applicants are illiterate, coming from rural area and since their land has been acquired, liberal approach is taken and hence, the delay is hereby

condoned.

3. Civil Application stands allowed and disposed of accordingly.

4. It is made clear that the claimants are not entitled to get interest for the period of 2133 days in case of success in their appeal.

5. Registry to verify and register the first appeal and place it for further consideration on 26.09.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/