

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

**1023 CIVIL APPLICATION NO.12183 OF 2017
IN FAST/27897/2017**

**BABURAO @ BHAURAO WAMANRAO KOLEKAR AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...
Advocate for Applicant : Mr. A.S. More
AGP for Respondents/State: Mr. A.M. Phule
Advocate for Respondent No.3 : Mr. A.M. Gaikwad

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed by the original claimant for getting the delay of 442 days condoned in filing first appeal. He intends to challenge the judgment and award passed by the learned Reference Court for enhancement. The application has been strongly objected by the learned AGP as well as learned Advocate appearing for the acquiring body on the ground that the delay is huge and inordinate. However, taking into consideration the fact that the land of the present applicant was acquired and for the reasons mentioned in paragraph No.2, the delay stands condoned.

2. Civil Application stands allowed and disposed of accordingly.

3. It is clarified that the applicant is not entitled to get interest for the period of delay of 442 days in case of success in the first appeal.
4. Registry to verify and register the first appeal and place it for further consideration on 09.10.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/