

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

**962 CIVIL APPLICATION NO.1773 OF 2013
IN FAST/28626/2012**

**ANIRUDHA DHONDIRAM BILAPATE
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

...

Advocate for Applicant : Mr. Sontakke Gajanan K And P G Sontakke
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.3 : Mr. S.S. Tope

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 13th SEPTEMBER, 2019.

ORDER :

. Present application has been filed by the original claimant for getting the delay of 2125 days condoned in filing first appeal. The claimant intends to challenge the judgment and award passed by the learned reference Court in order to enhance the compensation.

2. Learned AGP has strong objection to allow the application on the ground that the delay is huge and inordinate and has not been properly explained.

3. Taking into consideration the fact that the applicant is an agriculturist, coming from rural area, whose land has been acquired, liberal approach is taken, delay stands condoned.
4. Civil Application stands allowed and disposed of accordingly.
5. Registry to verify and register the first appeal and place it for further consideration on 16.12.2019.
6. It is clarified that the applicant is not entitled to get interest for the period of 2125 days in case of success to his appeal.

(SMT. VIBHA KANKANWADI, J.)

SCM