

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

22 CIVIL APPLICATION NO.3550 OF 2019
IN FAST/29541/2013

VISHWAMBHAR NARSHING SHAHABADE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicants : Mr. N.D. Kendre, h/f Mr. M S Patil (Almlekar)

AGP for Respondents : Mr. A.M. Phule.

CORAM : MANGESH S. PATIL, JJ.

DATE : 13/11/2019

PER COURT :

Heard both the sides.

2. There is a delay of 1539 days for preferring appeal by the original claimants who are aggrieved by the judgment and award passed by the Reference Court in a reference preferred by them under Section 18 of the Land Acquisition Act.

3. Considering the fact that the applicants/claimants are the poor land holders who have lost their agricultural land, they were not to gain anything by allowing their appeal to be barred by time. There are no malafides. Considering the grounds mentioned in the application the delay of 1539 days is condoned subject to the condition that the applicants/claimants shall not be entitled to claim any interest for the period of delay in case their appeal is ultimately allowed.

4. The Civil Application is disposed of.

(MANGESH S. PATIL, J.)

mkd