

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

**1023 CIVIL APPLICATION NO.4746 OF 2019
IN FAST/30376/2018
WITH CA/4745/2019 IN FAST/30753/2018
WITH CA/4750/2019 IN FAST/30756/2018**

**VISHWANATH SAMBHAJI DHEKANE
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

...
Advocate for Applicants : Mr. Dhanure Bramhanand M.
AGP for Respondents/State : Mr. A.M. Phule
...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 11th OCTOBER, 2019.

ORDER :

. All these applications have been filed for condonation of delay in filing first appeals.

2. The applicants are the original claimants who intends to file the appeal for enhancement in compensation by learned reference Court.

3. Learned AGP representing respondent No.1 strongly objects to the applications on the ground that the delay is huge and inordinate and has not been properly explained.

4. Original claimants are the persons whose land was acquired. It is stated that their Advocate had not informed them about the decision in the matter. It is stated that in fact they had filed execution proceedings and in the meantime, the Advocate engaged by them expired and they could not come to know about the same. The execution proceedings have also been disposed of as dismissed in default, as the Advocate was not engaged after the demise of first Advocate. Therefore, taking into consideration these reasons, liberal approach is taken, the delay stands condoned.

5. Civil Applications stand allowed and disposed of accordingly.

6. It is clarified that the applicants will not be entitled to get interest for the period of delay, in case of success to their respective appeals.

7. Registry to verify and register the first appeals and place them for further consideration on 21.01.2020.

(SMT. VIBHA KANKANWADI, J.)

SCM