

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**976 CIVIL APPLICATION NO.15023 OF 2015
IN FAST/31154/2015**

DAGADU TATYABA KHOSE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Choudhari Sushant B
AGP for Respondents/State : Mr. R.B. Bagul
Advocate for Respondent No.2 : Absent.

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 23rd AUGUST, 2019

ORDER :

. Present application has been filed by the original claimant for getting the delay of 1707 days condoned in filing first appeal. The claimant intends to challenge and get enhancement in the compensation granted by the learned Reference Court.

2. Learned AGP representing respondent No.1 vehemently opposes the application on the ground that no reasonable grounds have been made for condoning the delay. Learned Advocate for respondent No.2 is absent.

3. The claimant is now 74 years old person, whose land has been acquired. He submits that after the acquisition, he had gone to

Pune for earning livelihood and therefore, had no knowledge about the judgment and award. Therefore, taking into consideration his age and the fact that his land was acquired, the 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 05.12.2019.

6. It is clarified that the applicant will not be entitled to get interest for the period of 1707 days in case of success in his appeal.

(Smt. Vibha Kankanwadi, J.)

Shubham/