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

**963 CIVIL APPLICATION NO.14343 OF 2018
IN FAST/33980/2018 WITH CA/14344/2018 IN
FAST/33975/2018**

**SHENFAD LAXMAN BHUTE
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

...

Advocate for Applicants : Mr. Pahune Patil
Nandkishor J.

AGP for Respondents : Mr. P.M. Kulkarni

...

**CORAM : P.R. BORA, J.
DATED : 22nd JANUARY, 2019.**

PER COURT:-

. Heard Shri Pahune Patil, the learned counsel appearing for the applicant and the learned AGP Shri Kulkarni appearing for the respondent-State.

2. Though the learned AGP has opposed for condoning the delay stating that the long delay of 1488 and 1506 days has not been appropriately explained, after having read the contents of the applications, I am satisfied that sufficient case is made out. Moreover, the applicants have undertaken not to claim interest for the period of delay in the event of their success in the appeal. I am, therefore, inclined to allow these

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applications. Hence, the following order:

ORDER

- i) Both applications are allowed.
- ii) The delay caused in filing the appeal is condoned. The appeal be registered in accordance with law.
- iii) It is clarified that in the event of their success in the appeal, the applicants in both the applications shall not be entitled for the period of delay on the enhanced amount of compensation.
- iv) Copy of the present order be kept with the papers of the appeal.
- v) Both civil applications for condonation of delay stand disposed of.
- vi) After registration of the appeal, issue notice to the respondents, returnable after six weeks. The learned AGP Shri Kulkarni waives notice for respondent nos. 1 to 3.
- vii) List the appeal for further consideration after six weeks.

(P.R. BORA, J.)