

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

**1051 CIVIL APPLICATION NO.1940 OF 2019
IN FAST/39221/2018**

**UMARKHA SHABBIRKHA
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER MINOR
IRRIGATION JALGAON AND ANR**

...

Advocate for Applicant : Mr. Bhokariker Madhav M
AGP for Respondents/State : Mr. S.P. Deshmukh
Advocate for Respondent No.2 : Mr. S.D. Dongade

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed by the original claimant for getting the delay of 255 days condoned in filing first appeal. He wants to challenge the judgment and award passed by the Reference Court for enhancement. Learned AGP as well as learned Advocate appearing for acquiring body have strong objection to allow the application. However, taking into consideration the fact that the applicant is the farmer, coming from rural area and his land has been acquired, lenient view is taken and therefore, delay stands condoned.

2. Civil Application stands allowed and disposed of accordingly.

3. It is clarified that the claimant will not be entitled to get the interest of 255 days in case of success in the appeal.
4. Registry to verify and register the first appeal and place it for further consideration on 05.11.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/