

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

**1054 CIVIL APPLICATION NO.1943 OF 2019
IN FAST/39228/2018**

SULEMAN SHAIKH RAJ MOHAMMA THR POWER OF ATTORNEY
HOLDER SHAIKH SADIK SHAIKH RAJ
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER MINOR
IRRIGATION JALGAON AND ANR

...
Advocate for Applicant : Mr. Bhokariker Madhav M
AGP for Respondents/State : Mr. A.M. Phule
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 83 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 83 days in case of success in the appeal.

4. Registry to verify and register the first appeal and place it for further consideration on 08.11.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/