

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.6863 OF 2017 IN FAST/7744/2017

KALUBA SHIVBA KOLHE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Ms. L. R. Thakur h/f. Mr. Laxmikant C. Patil
AGP for Respondent No.1 and 2 : Ms. D. S. Jape
...

CORAM : ANIL S. KILOR, J.

DATE : 15th MARCH, 2021

PER COURT :-

This is an application for condonation of delay. There is delay of 1491 days for filing an appeal for enhancement of compensation granted by Reference Court.

2. It is informed to this Court that respondent No.3 - Acquiring Body has also filed an appeal challenging the Judgment and Award dated 08-11-2012.
3. None present for respondent No. 3 - Acquiring Body.
4. Learned A.G.P. opposed the application.
5. For the reasons stated in the application and in view of the fact that the Acquiring Body has already filed appeal challenging the impugned Judgment and Award, delay is condoned. However, it is made clear that as regards to entitlement of the applicant-claimant for the interest on the amount of compensation for the delayed period, will be considered at the time of final hearing.
6. The civil application is allowed and disposed of accordingly.
7. The office is directed to place the matter for admission.

(ANIL S. KILOR)
JUDGE