

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

**11 CIVIL APPLICATION NO.11433 OF 2021
IN FAST/17756/2021 WITH CA/11434/2021 IN FAST/17864/2021
WITH CA/11436/2021 IN FAST/17850/2021 WITH CA/11435/2021
IN FAST/17852/2021 WITH CA/11438/2021 IN FAST/17869/2021
WITH CA/11437/2021 IN FAST/17866/2021 WITH CA/11439/2021
IN FAST/17854/2021 WITH CA/11441/2021 IN FAST/17857/2021**

**ASHOK DATTATRAYA GANJEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

...
Advocate for Applicant : Mr. Deshpande Amit S.
AGP for Respondent/State : Mr. S.S. Dande
Advocate for Respondent No.2 : Mr. S.G. Sangle
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 20th OCTOBER, 2021

PER COURT:-

1. By these civil applications, the applicants, original claimants, pray for condonation of delay of 756 days caused in filing the first appeals.

2. Issue notice to the respondents. The learned AGP waives service of notice on behalf of respondent no.1 and Shri Sangle, the learned advocate appears on behalf of respondent no.2.

3. We have considered the submissions of the learned counsel for the respective sides. The respondents have opposed these applications contending that the delay is of almost 1 year and 10 months. In the alternative, it is submitted that in the event of

enhancement if granted by this Court, the applicants should be deprived of the interest amount for the period of delay.

4. The acquiring body has already filed their first appeals challenging the LAR award. The applicants pray for enhancement. In these peculiar facts, we find that the delay can be condoned and to balance the equities, the claimants can be deprived of interest for a period of 756 days, if they succeed in their first appeals.

5. In view of the above, these civil applications are allowed. Delay of 756 days is condoned, subject to removal of all office objections within a period of three weeks from today. The first appeals be registered and be listed with the first appeals filed by the acquiring body.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)