

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

CIVIL APPLICATION NO.10184 OF 2014 IN FAST/23560/2014

MALBA LIMBAJI BANSODE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicants : Mr. Ramesh V. Naiknavare
AGP for Respondent No.1 : Mr. S. S. Dande

CORAM : ANIL S. KILOR, J.
DATE : 25th MARCH, 2021

PER COURT :-

1. This is an application moved by the applicants-claimants for condonation of delay in filing first appeal seeking enhancement of amount of compensation granted by learned Reference Court in LAR No. 285 of 2019.
2. There is delay of 2241 days. The reasons given in the application for such delay is that the financial condition of the applicants is poor.
3. This application is pending since year 2014. However, no reply has been filed to the application, raising the opposition.
4. Mr. Dande, the learned AGP argues that if the application is allowed and the delay is condoned in that case it may be held that the applicants would not be entitled for interest amount for delayed period, if this court enhances the amount of compensation in favour of the claimants.
5. In view of the fact that no reply is filed opposing the application and further the reasons stated in the application are found to be satisfactory for condoning the delay, the civil application is allowed. The delay is condoned.
6. It is made clear that the entitlement of the applicants for grant of interest in case of enhancement is granted by this Court, for the delayed period will be considered at the time of final disposal of the appeal.
7. The civil application is disposed of.
8. The office is directed to register the first appeal and list the matter on admission board on 01-04-2021.

**(ANIL S. KILOR)
JUDGE**