

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

**918 CIVIL APPLICATION NO. 152 OF 2020
IN FAST/31531/2019
DATTATRAYA TUKARAM JADHAV
VS
THE STATE OF MAHARASHTRA AND ORS
WITH
CIVIL APPLICATION NO. 153 OF 2020
IN FAST/31712/2019
WITH
CIVIL APPLICATION NO. 154 OF 2020
IN FAST/31702/2019
WITH
CIVIL APPLICATION NO.155 OF 2020
IN FAST/31704 OF 2019
WITH
CIVIL APPLICATION NO.156 OF 2020
IN FAST/31710/2019**

Mr. N. D. Kendre, Advocate for the applicant
Mr. A. A. Jagatkar, AGP for the respondent/State

CORAM : N. J. JAMADAR, J.

DATE : 05-03-2021

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. Heard learned counsel for the applicants and learned AGP for the respondent/State.

2. None appears for respondent No.3 despite service of notice.

3. These applications are preferred for condonation of delay in preferring the appeals against the judgment and award passed by the Reference Court in LAR Nos. 161/2010, 170/2010, 163/2010, 166/2010, 164/2010 dated 11-12-2017.

4. It is trite that an application for condonation of delay should receive liberal consideration. The court is expected to lean in favour of the condonation of delay so as to advance the substantive justice. Reasons assigned in the application for delay cannot be said to be unreasonable.

5. Thus, having regard to the poor financial condition and adverse social situation of the applicant, the claim of the applicant that he was prevented by a sufficient cause in preferring the appeal appears sustainable.

6. Learned counsel for the applicant submits that the applicant is ready to forego statutory benefit and interest on the amount of compensation awarded by the Reference Court for delayed period. The statement is accepted.

7. Hence, the following order.

ORDER

- i. The application stands allowed.

(3)

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- ii. The delay in preferring the appeal stands condoned.
- ii. Appeal be registered.

[N. J. JAMADAR, J.]

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