

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

952 CIVIL APPLICATION NO.1365 OF 2020
IN FAST/490/2020

RUKHAMINBAI UDDHAVRAO MHASKE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Rakhunde Pravin B
AGP for Respondents 1 and 2: Mrs. D.S. Jape
Advocate for Respondent No.3 : Mr. Ram Deshpande
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CORAM : S. G. DIGE, J.
DATED : 23rd SEPTEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned counsel for respondent No.3.
2. Learned counsel for the applicant submits that the applicant is poor agriculturist. After receipt of compensation amount, he has preferred appeal for enhancement of compensation amount. Due to pandemic period, he could not circulate the matter within time. Hence, the delay is caused and it be condoned.
3. Learned counsel for respondent No.3 submits that after filing the appeal in the year 2019, till date the application for condonation of delay is not circulated. There is delay of more than 7 years and if this court inclined to condone the delay, then the applicant shall waive the interest amount and the amount towards statutory benefits till date.

4. I have heard learned for both the parties. Considering the submissions of learned counsel for the parties as well as the reasons mentioned in the application, I pass the following order:-

O R D E R

- I. The civil application is allowed.
- II. The applicant shall not claim any interest and statutory benefits for the delayed period as well as till date and shall file undertaking in that regard.
- III. Appeal be registered subject to removal of office objections, if any.
- IV. Civil application is disposed of.

(S. G. DIGE, J.)

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