

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

11 CIVIL APPLICATION NO.4041 OF 2020
IN FAST/2862/2019

BHAGWAN BHIMRAO KHARAT
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Arun H. Koralkar.
AGP for Respondent/State: Mr. S. P. Deshmukh.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 28th March, 2022.

P.C.:

. It is an application for condonation of delay moved by the applicant/original claimant.

2 Heard Mr. Koralkar, learned counsel for applicant and Mr. S. P. Deshmukh, learned AGP for respondent Nos.1 and 2. Respondent No.3/acquiring body though duly served with notice, remained absent when the matter is called out.

3 There seems to be delay of 1124 days in preferring the appeal. It is a case of compulsory land acquisition. The delay needs to be condoned in view of guidelines laid down by the Honourable Supreme Court in the case of *Dhiraj Singh (D) Tr. Vs. Haryana State*, reported in, *MANU/SC/0778/2014*. Hence, the following order is passed:

ORDER

- I. The application is hereby allowed in terms of prayer clause (A).
- II. The applicant shall furnish undertaking with the Registrar (Judicial) of this Court stating therein that he shall not claim statutory benefits and interest for the delayed period.
- III. After furnishing such undertaking by the applicant, the Registry to make scrutiny of the appeal as per the procedure and it be numbered and placed before the Court for admission.
- IV. Civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]

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