

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

CIVIL APPLICATION NO.3026 OF 2021 IN FAST/3044/2020

**ALKA SHANKARRAO KAWATHEKAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

....

Mr. Sudhir K. Chavan, Advocate for the Applicants
Mr. P.M. Kulkarni, AGP for Respondent Nos. 1 and 2 / State

....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 04th APRIL, 2022

PER COURT:-

1. It is an application for condonation of delay moved by the applicants / claimants.
2. Heard Mr. S.K. Chavan, learned counsel for the applicants / claimants and Mr. Kulkarni, learned AGP for respondent nos. 1 and 2 / State. None present for respondent no.3 / acquiring body, when the matter is called out though notice is duly served.
3. There seems to be delay of 1864 days in preferring the first appeal.

4. For the reasons stated in the application for condonation of delay in para nos. 4, 5 and 6, the delay needs to be condoned. At the same time, the applicants / claimants shall not be entitled to get statutory benefits as well as the amount of interest for the delayed period, by way of equity.

ORDER

(i) The application is hereby allowed in terms of prayer clause (B) on condition that the applicants / claimants shall furnish the undertaking with the Registrar (Judicial) of this Court stating that they would not claim the statutory benefits as well as the interest in respect of delayed period.

(ii) After furnishing the undertaking by the applicants / claimants, the Registry to make scrutiny of the appeal as per procedure and it be numbered and place before the Court for admission.

(iii) The civil applications are accordingly disposed of.

[SHRIKANT D. KULKARNI]
JUDGE

S.P. Rane