

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

906 CIVIL APPLICATION NO.6829 OF 2017
IN FAST/3951/2017
WITH CA/6832/2017 IN FAST/4122/2017
WITH CA/6830/2017 IN FAST/4119/2017
WITH CA/6831/2017 IN FAST/4117/2017

NAMDEO PUNDAJI NAGARGOJE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. H.B. Nandagavale
AGP for Respondents/State : Mrs. D.S. Jape
...

CORAM : ANIL L. PANSARE, J.
DATE : 8th July, 2022

PC.:-

Heard learned counsel for the applicants and learned A.G.P. for the respondents.

2. The applicants are the original claimants seeking condonation of delay of 1824 days in filing appeals against the judgment and award passed by the Reference Court in the L.A.R. Nos.1982/2010, 1985/2010, 1987/2010 and 1993/2010 decided on 11.11.2011. Learned counsel for the applicants, on instructions, submit that the applicants are also ready to forego the interest for the delayed period.

3. The learned AGP opposed the applications and submits that there is inordinate delay and the same has not been properly explained.

4. The non-applicants have not attributed *mala fides* to the applicants in filing belated appeal. Accordingly, for the reasons assigned in the applications for condonation of delay and to advance the cause of substantive justice, the delay deserves to be condoned.

Hence, the following order:-

i) The applications stand allowed in terms of prayer clause(B), with a rider that the applicants shall not be entitled for the claim of interest on the compensation amount as awarded by the Reference Court in L.A.R. Nos.1982/2010, 1985/2010, 1987/2010 and 1993/2010 for the delayed period.

ii) Civil Applications are disposed of accordingly.

iii) Respective First Appeal Stamp Numbers be registered. Issue notice to the respondents, returnable on 05.08.2022. Learned AGP waives service for respondent nos. 1 & 2.

iv) Call R & P.

[ANIL L. PANSARE, J.]