

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

923 CIVIL APPLICATION NO.11840 OF 2021
IN FAST/10352/2020

MASNHA RAMA GAIKWAD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA,
THROUGH THE COLLECTOR, NANDED AND OTHERS

...

Advocate for Applicants : Mr. Laxmikant C. Patil.

AGP for Respondent/State: Mr. S. G. Sangle.

Advocate for Respondent No.3: Mr. P. S. Shinde.

...

CORAM : **SHRIKANT D. KULKARNI, J.**

DATE : 13th January, 2022.

P.C.:

. It is an application for condonation of delay moved by the applicants/original claimants. There seems to be delay of 75 days in preferring the appeal.

2 Heard Mr. Patil, learned counsel for applicants/original claimants, Mr. Sangle, learned AGP for respondent Nos.1 and 2 and Mr. Shinde, learned counsel for respondent No.3/acquiring body.

3 Mr. Sangle, learned AGP for respondent Nos.1 and 2 and Mr.Shinde, learned counsel for respondent No.3/acquiring body opposed to condone the delay.

4 For the reasons stated in the application for condonation of

delay, more particularly paragraphs 5 and 6, the delay needs to be condoned in the interest of justice. Hence, the following order is passed:

ORDER

- I. The civil application is hereby allowed in terms of prayer clause (B) on condition that the applicants / original claimants shall not claim statutory benefits and interest in respect of delayed period, which is condoned today and they have to furnish necessary undertaking with the Registrar (Judicial) of this Court stating that they shall not claim statutory benefits and interest as provided under the Land Acquisition Act, 1894 for the delayed period.
- II. After furnishing such undertaking by the applicants/original claimants, the Registry to make scrutiny of the appeal as per the procedure and it be numbered and placed before the Court for admission.
- III. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]