

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

919 CIVIL APPLICATION NO.6369 OF 2021
IN FAST/13421/2021

NAMDEO YADAV BORDE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S. B. Solanke.
AGP for Respondent/State: Mr. P. M. Kulkarni.
Advocate for Respondent No.2 : Mr. Shrimant Mundhe.
...

CORAM : **SHRIKANT D. KULKARNI, J.**
DATE : 07th January, 2022.

P.C.:

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

2 Heard Mr. Solanke, learned counsel for applicant, Mr. Kulkarni, learned AGP for respondent No.1 and Mr. Mundhe, learned counsel for respondent No.2/acquiring body.

3 Mr. Kulkarni, learned AGP for respondent No.1 and Mr. Mundhe, learned counsel for respondent No.2/acquiring body opposed to condone the delay. Both of them submit that the delay caused in this case is inordinate and no sufficient reasons are assigned.

4 On going through the application for condonation of delay, it is evident that the applicant has assigned sufficient reasons in the

application paragraphs 2 and 3. As such, the delay needs to be condoned. At the same time, the applicant/original claimant shall not be entitled to claim the statutory benefits and interest in respect of the delayed period. He has to furnish undertaking to that effect in the Registry. Hence, the following order is passed:

ORDER

- I. The application for condonation of delay is hereby allowed in terms of prayer clause (B) on condition that the applicant/original claimant shall not claim any statutory benefits and interest in respect of the delayed period, which is condoned today. He has to furnish undertaking with the Registry stating that he will not claim statutory benefits and interest in respect of the delayed period.
- II. After furnishing such undertaking by the applicant/claimant, the appeal be registered after due scrutiny as per procedure and it be numbered and place before the Court for admission.
- III. The civil application is accordingly disposed of.

[SHRIKANT D. KULKARNI, J.]