

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**4 CIVIL APPLICATION NO.4395 OF 2016
IN FAST/22683/2015**

**DAMODHAR TATERAO AKAT DIED THR HIS LRS KALIDAS
DAMODHAR AKHAT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

Mr. K. B. Jadhav, Advocate for the applicants
Mr. B. V. Virdhe, AGP for the respondent/State
Mrs. Kalpana Sonpawale (Kulkarni) h/f Mr. S. P.
Sonpawale, Advocate for the respondent No.3

CORAM : VINAY JOSHI, J.

DATE : 17-01-2022

P. C.

. Appearance of Mr. S. R. Bharad, Advocate is discharged.

2. This is an application seeking condonation of delay of 1920 days caused in filing the first appeal challenging the order and seeking for enhancement of compensation.

3. The other side has objected to condone the delay by stating that no sufficient cause has been canvassed.

4. The learned counsel for the applicants contended that due to age oldness and health reason and on account of illiteracy, the delay has been caused. Particularly, it is submitted that in another proceeding arising out of the same award, the matter was settled in the Lok-Adalat and enhance compensation has been granted.

5. Considering the nature of litigation and the reasons stated in the application the delay stands condoned with rider that the applicants are not entitled for interest and other benefits for the period of delay which is caused.

6. The application stands disposed of.

[VINAY JOSHI, J.]