

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

910 CIVIL APPLICATION NO.1070 OF 2018
IN FAST/25098/2017

PRALHAD MUNJAJI AKAT AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
911 CIVIL APPLICATION NO.1144 OF 2018
IN FAST/25100/2017

MUNJA GOPALA AKAT
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
912 CIVIL APPLICATION NO.1206 OF 2018
IN FAST/25215/2017

BABASAHEB MANJIT AKAT
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
913 CIVIL APPLICATION NO.1924 OF 2018
IN FAST/25092/2017 WITH CA/1925/2018 IN FAST/25094/2017

KESHAV SHAMRAO AKAT
VERSUS
THE STATE OF MAHARASHTRA AND ORS

AND
914 CIVIL APPLICATION NO.2180 OF 2018
IN FAST/26535/2017

AND
916 CIVIL APPLICATION NO.2376 OF 2018
IN FAST/25090/2017

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Advocate for Applicant : Mr. Kakade Deepak M.
AGP for Respondents/State : S/Shri S.P. Tiwari, S.R.Y. Lonikar and
Smt. D.S. Jape

Advocate for Respondents in respective applications :
*S/Shri Sudhir G.Bhalerao, A.M. Gaikwad, Ruturaj Patil, Dhongade Suresh,
Shyam Arora, B.R. Survase*

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

PC.:-

Heard learned counsel for the applicants, learned A.G.P. and learned counsel for the acquiring body.

2. The applicants are the original claimants seeking condonation of delay ranging between 2130 to 3186 days in filing appeals against the judgment and award passed by the Reference Court in the L.A.R. Nos.54/2010, 63/2010, 56/2010, 62/2010, 65/2010, 46/2010 and 70/2010. 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(A), 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. 54/2010, 63/2010, 56/2010, 62/2010, 65/2010, 46/2010 and 70/2010 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 no.1 and respective learned counsel waives service for acquiring body.
- iv) Call R & P.

[ANIL L. PANSARE, J.]