

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

**CIVIL APPLICATION NO.10627 OF 2021
IN FAST/33452/2019**

**A. HUSAIN A. SHAKUR DESHMUKH (DIED) THROUGH LRS
JULEKHABEGUM A. HUSAIN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. Arun Koralkar, Advocate for the applicants.
Mr. P.N. Kutti, A.G.P. for respondent Nos. 1 and 2.
Mr. Avinash Hande, Advocate holding for
Mr. Anil M. Gaikwad, Advocate for respondent No. 3.

...

CORAM : SANDIPKUMAR C. MORE,J.

DATED : 02.08.2022.

ORDER:-

1. The applicants are claiming condonation of delay of 1623 days in filing the first appeal against the award dated 04.02.2015 in LAR No. 302 of 2010. The learned Counsel for applicants submits that the Acquiring Body deposited the amount belatedly and the applicants had also gone to Mumbai in search of work.

2. The learned Counsel for respondent No. 3 i.e. the Acquiring Body took strong objection. However, considering the statutory right of the applicants and for the reasons stated in the Application, the application is allowed and the delay of 1623 days stands condoned in the interest of justice, subject to

condition that the applicants shall not claim any interest for such delay period.

3. The Civil Application is accordingly disposed of.

4. The First Appeal be placed for admission, after removal of office objections, if any.

(SANDIPKUMAR C. MORE, J.)