

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

**CIVIL APPLICATION NO.5831 OF 2022
IN FAST/33560/2019**

**DHRUPADABAI TRIBAK DONGARE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. Pankaj Bharat, Advocate holding for
Mr. D.M. Pingle, Advocate for the applicant.
Mr. A.A. Jagatkar, A.G.P. for respondent Nos.1 and 2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 05.08.2022.

ORDER:-

1. The applicant – claimant is seeking condonation of delay of 1287 days in challenging the award dated 08.11.2016 in LAR No. 348 of 2013. According to the applicant, the delay has been caused due to their poor financial condition.

2. The learned A.G.P. for respondent Nos.1 and 2 has strongly opposed the application and submitted that the applicant, despite filing the appeal in the year 2019, circulated the same on 30 June 2022, and therefore, the interest for the period of such late circulation should not be awarded.

3. Under such circumstances and considering the statutory right of the applicant, the application is allowed and the delay of 1287 days caused in filing the appeal stands condoned. However, the applicant shall not be entitled for the interest for the aforesaid period of delay and also for the delay in circulating this application which has been filed in October 2019 but circulated on 30 June 2022. As such, the applicant shall not be entitled for the interest for that period also.

4. The Civil Application stands disposed of.

5. The first appeal be placed for admission, after removal of office objections, if any.

(SANDIPKUKAR C. MORE, J.)