

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

**906 CIVIL APPLICATION NO.6292 OF 2018  
IN  
FIRST APPEAL (ST) NO. 35986 OF 2017**

|                                     |             |
|-------------------------------------|-------------|
| Narayan Bhagwat Bansode (Died)      |             |
| Through LRs Rukmin and others       | Applicants  |
| Versus                              |             |
| The State of Maharashtra and others | Respondents |

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Mr. S.S. Chillarge, Advocate for the applicants.  
Mr. A.A. Jagatkar, A.G.P. for respondent Nos. 1 and 3.

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**CORAM : SANDIPKUMAR C. MORE, J.**

**DATED : 27.07.2022.**

**ORDER:-**

1. Heard learned Counsel for the applicants / claimants as well as learned A.G.P. The respondent No. 2 Acquiring Body despite service, remained absent.

2. This is an application for condonation of delay of 1577 days in filing this appeal. The applicants have attributed the delay to their poor financial condition. Moreover the learned Counsel for the applicants submits that though the impugned award is dated 16.04.2013, but the Acquiring Body deposited the amount in the month of April 2017. Admittedly, there appears substantial delay in filing this first appeal.

However, considering the statutory right of the applicant, it can be condoned in the interest of justice. Accordingly, Civil Application No. 6292 of 2018 is hereby allowed and the delay of 1577 days in filing the first appeal against the judgment and award dated 16.04.2013 passed by the learned Civil Judge (Senior Division), Udgir in LAR No. 1917 of 2010 (old LAR No.738 of 2008) subject to condition that the applicants shall not claim any statutory interest in respect of the aforesaid delay period of 1577 days. No costs.

3. 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.)**