

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

**CIVIL APPLICATION NO.5331 OF 2022
IN FAST/36268/2019**

**KISAN SAKHARAM JADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. Pankaj Bharat, Advocate holding for
Mr. D.M. Pingle, Advocate for the applicants.
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 applicants – claimants are seeking condonation of delay of 1746 days in challenging the award dated 08.11.2016 in LAR No. 220 of 2008. According to the applicants, 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 applicants, 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 applicants, the application is allowed and the delay of 1746 days caused in filing the appeal stands condoned. However, the applicants 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 November 2019 but circulated on 30 June 2022. As such, the applicants 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.)