

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 CIVIL APPLICATION NO.6061 OF 2018
IN FAST/41868/2017

ASHRUBA S/O RAMA KAMBLE (DIED) THROUGH LRS.
SARUBAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA

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Mr.D.R. Jayabhar, advocate for applicants.
Mr.A.B. Chate, A.G.P. for respondent.

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CORAM : S.G. DIGE, J.
DATE : 10th JUNE, 2022

PER COURT :-

. Heard Mr.D.R. Jayabhar, learned counsel for the applicants and Mr.A.B. Chate, learned A.G.P. for respondent.

2. The learned counsel for the applicants submits that there are orders passed by this Court in other connected matters. In the said matters, the delay is condoned. The learned counsel placed on record the copy of orders passed in Civil Application No.8897/2010 and Civil Application No.2282/2015. The learned counsel submits that these are the orders passed in the matters arising out of the same award, wherein the delay is condoned.

3. Admittedly, this Court has condoned the delay in connected group matters. Hence, I am inclined to allow this application. The

applicants shall not claim interest and statutory benefits for the delayed period. Hence, I pass the following order :-

ORDER

(i) The application for condonation of delay is hereby allowed.

(ii) The delay in preferring the appeal against the impugned judgment and award stands condoned subject to condition that the applicants shall not claim statutory benefits as well as the amount of interest, as contemplated under the provisions of Land Acquisition Act, 1894 for the delayed period.

(iii) Appeal be registered subject to removal of office objections, if any.

(iv) The civil application is allowed in aforesaid terms.

(S.G.DIGE, J.)