

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

**CIVIL APPLICATION NO.14103 OF 2017
IN FAST/4253/2017**

**NANDA HONYA (DECEASED) THR HIS LRS SURAJI GAVIT AND
ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

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Mr. R. C. Patil, Advocate for applicants
Mr. S. J. Salgar, AGP for respondents

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 23.02.2023

PER COURT :-

Heard.

2. This is an application seeking condonation of delay of 406 days caused in filing the appeal challenging the judgment and award dated 30.09.2015 passed by the Reference Court in L.A.R. No.9/2013 at Nandurbar.

3. The learned Advocate appearing for the applicants submits that the land of the applicants has been acquired and they have been inadequately compensated. The delay caused in filing

the appeal is not intentional. The applicants have not derived any advantage of such delay.

4. The learned AGP appearing for the respondents opposes to condone the delay. Alternatively, he submits that if the delay is condoned, the applicants shall not be entitled for the interest for the period of delay.

5. Considering the reasons stated in the application from para Nos. 2 to 5, the delay is condoned, however, the applicants shall not be entitled to claim interest for the period of delay, in case their appeal is entertained and enhanced compensation is awarded.

6. The civil application is allowed in aforesaid term.

7. Appeal be registered.

[S. G. CHAPALGAONKAR, J.]

SMS