

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

**CIVIL APPLICATION NO.4432 OF 2016
IN FAST/6366/2016**

**TRIMBAK BABURAO NAVTAKE DIED THROUGH LRS NIRMALABAI
AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Applicants : Mr. Gajanan K. Sontakke
AGP for Respondents – State : Mr. S.S. Dande
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**CORAM : KISHORE. C. SANT, J.
DATE : 07th NOVEMBER, 2023**

PER COURT :

1. This application is filed for condonation of 857 days delay caused in filing first appeal challenging the judgment and order passed the learned Civil Judge, Senior Division, Omerga, in L.A.R. No.1156/2009, seeking enhancement of compensation.
2. Heard learned advocates for the respective parties.
3. Learned AGP for respondent State opposes the application stating that the reasons are not sufficient and convincing. Learned advocate for applicants submits that the delay is *bona fide* and is not intentional.
4. Considering that this application is filed by claimants who have lost their property in the acquisition proceedings, the delay stands condoned. The application is allowed. However, the applicants shall not be held entitled for any interest for delayed period, if the appeal succeeds. Appeal be registered. Civil application is disposed off.

(KISHORE. C. SANT, J.)