

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

**CIVIL APPLICATION NO. 2428 OF 2023
IN FAST/8263/2019**

Baburao Sidram Kalse

.. Applicant

Versus

The State of Maharashtra and another

.. Respondents

Mr. Sharad S. Halkude, Advocate for the Applicant.

Mr. S. S. Dande, AGP for Respondent No. 1.

CORAM : KISHORE C. SANT, J.

DATED : 30th AUGUST, 2023.

P C. :-

. The present application is filed for condonation of delay.

2. The appeal is for enhancement of amount of compensation. While filing the appeal there is delay of 2549 days. This Court had already issued notice to respondents. Learned A.G.P. appears for respondent No. 1. None appears for respondent No. 2 though office report shows that respondent No. 2 is served. The delay is of 2549 days.

3. It is stated that, there was communication gap between the learned advocate who conducted the LAR and the applicant. The applicant could not get the knowledge immediately of passing of the

award by the learned Reference Court. After getting the knowledge of passing of the award, the applicant immediately filed this application and the appeal.

4. Considering this, the civil application deserves to be allowed. However, the appellant/applicant shall not be entitled to receive any interest for the period of delay i.e. 2549 days caused in filing the appeal.

5. With this, the civil application stands allowed and disposed off accordingly.

6. Office to register first appeal.

(KISHORE C. SANT, J.)

PS.B.