



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

941 CA/13949/2022 IN FAST/10848/2022

GAYABAI MAHADU (DIED) THR LRS KISAN AND ANR
VS
THE S.L.A.O. JAIKWADI PROJECT AURANGABAD AND ANR

...
Advocate for Applicants : Mr. A.M. Lavharale h/f. Mr. Durgesh Pimple
AGP for Respondent 1/State : Mrs. M.L. Sangit

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CORAM : ARUN R. PEDNEKER, J.
DATED : 13/12/2023

PER COURT :

1. Heard the learned counsel for the parties. The present appeal is filed by the appellants/claimants alongwith application for condonation of delay of 3694 days caused in filing the appeal. The learned AGP strongly opposed the application on the ground of huge delay.
2. The learned counsel for the claimants/appellants submits that the claimants are poor, their lands are compulsorily acquired, they have lost their livelihood and meager amount of compensation is granted to them. Due to financial difficulty, they could not file appeal in time. He further submits that the delay is not intentional and occurred due to the reasons beyond their control. The learned counsel for the appellants/claimants further submits that the claimants will not claim the statutory benefits and interest for the delay period caused in filing the appeal.
3. For the reasons stated in the application and in view of the statement made by the learned counsel for the appellants, the delay of 3694 days caused in filing the appeal is condoned. The delay condonation application is allowed, subject to condition that the appellant shall not be entitled for the interest and statutory benefits for the delayed period.
4. Appeal is **admitted**.
5. After admission, the learned AGP waives service of notice for respondent No. 1/State.

[ARUN R. PEDNEKER J.]

ssc/