

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

920 CIVIL APPLICATION NO.5567 OF 2020
IN FAST/13697/2019

MOHAN SHAHAJI KARALE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Solanke Shrikrashna B.
AGP for Respondents/State : Mr. P.K. Lakhotiya
...

CORAM : Y.G. KHOBRADE, J.
DATE : 30.06.2023

PC.:-

1. Heard learned counsel Mr. Solanke for the applicant and Mr. P.K Lakhotiya the learned AGP at length.
2. The applicant has filed present application under Section 5 of the Limitation Act and prayed for condonation of delay of 804 days caused while lodging the appeal against the judgment and award dated 03.11.2016 passed by the learned C.J.J.D., Vaijapur in L.A.R. No.75/2012. The non-applicant has not strongly resisted the application, however, the learned AGP submits that the applicant would not be entitled for the interest on the delayed period.
3. Since the applicant has assigned the reason that he is an Agriculturist and after enhancement of compensation he obtained the certified

copy and due to some personal difficulty he could not lodge the appeal within the stipulated period. Therefore, considering the nature of claim, the delay of 804 days caused in lodging the appeal is hereby condoned. The Civil Application is allowed. However, the applicant would not be entitled for interest on the delayed period. Office to register the appeal and place before the Court for further action.

[Y.G. KHOBRAGADE, J.]