

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

921 CIVIL APPLICATION NO.5569 OF 2020
IN FAST/13722/2019

ASHOK PRABHAKAR CHAUDHARI
VERSUS
THE SPECIAL LAND ACQUISITION OFFICER, MIW, JALGAON AND ORS

...
Advocate for Applicant : Mr. Kale Ajeet B.
AGP for Respondents/State : Mr. S.B. Yawalkar
Advocate for R/2: Mr. A.C. Sisodiya h/f. A.B. Girase
...

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

PC.:-

1. Heard learned counsel Mr. Kale for the applicant and Mr. Yawalkar 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 1077 days caused while lodging the appeal against the judgment and award dated 02.01.2016 passed by the learned Jt. C.J.S.D. in L.A.R. No.151/2004. 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, delay of 1077 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. KHOBRADE, J.]