

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

976 CIVIL APPLICATION NO.11896 OF 2022
IN FAST/18035/2022

DNYANESHWAR S/O PUNDALIK SATHE
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
OSMANABAD AND ANR

...

Advocate for Applicant : Mr. Vivek V Kabade
AGP for Respondents: Mr. P.M. Kulkarni,
Advocate for R-2 : Mr. Shyam C. Arora.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH AUGUST, 2023

ORDER :-

By this application, the applicant seeks to condone the delay of 1401 days caused in filing the appeal challenging the award passed by the Reference Court. Mr. Kabade learned counsel for the applicant submits that the applicant is litigating for getting just compensation for his acquired land. He submits that delay occurred due to financial difficulties and the outbreak of COVID.

2. Mr. Arora learned counsel vehemently opposed the prayer stating that the delay is not sufficiently explained.

3. Considering the reasons stated in the applicant sufficient cause is made out.

-: O R D E R :-

- [i] Civil application is allowed.
- [ii] Delay of 1401 days caused in filing the appeal is condoned subject to condition that the claimant shall not be entitled to claim interest and statutory benefits for the delayed period and file an undertaking to that effect to the satisfaction of the Registrar (Judicial) of this Court within a period of two weeks from today.
- [iii] Civil application is disposed of.

**[S.G. CHAPALGAONKAR]
JUDGE**

grt/-