

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

**CIVIL APPLICATION NO.10438 OF 2017  
IN X-APLST/23240/2017**

**SMT. SANGEETA SHANTARAM KALE AND OTHERS  
VERSUS  
THE NEW INDIA ASSURANCE COMPANY LTD.AND ANOTHER**

...  
Advocate for Applicants : Mr. Madhav M. Bhokarikar  
Advocate for Respondent No.1 : Mr. D.P. Deshpande  
...

**CORAM : KISHORE. C. SANT, J.**

**DATE : 07<sup>th</sup> NOVEMBER, 2023**

**PER COURT :**

1. This application is filed for condonation of 471 days delay caused in filing cross appeal challenging the judgment and order passed the learned Member, M.A.C.T., Jalgaon, in MACP No.271/2009, seeking enhancement of compensation.
2. Heard learned advocates for the respective parties.
3. Learned advocate for respondent opposes the application stating that the reasons are not sufficient and convincing. Learned advocate for applicants submits that the delay is *bona fide* and is not intentional.
4. Considering that this application is filed by claimants who have lost their property in the acquisition proceedings, the delay stands condoned. The application is allowed. However, the applicants shall not be held entitled for any interest for delayed period, if the appeal succeeds. Appeal be registered. Civil application is disposed off.

**(KISHORE. C. SANT, J.)**