

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

920 CIVIL APPLICATION NO.9047 OF 2019
IN FAST/26161/2018

POPAT MANIK PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Wagh h/f. Mr.Kumar Gaurav M. More
AGP for Respondents:- Ms. P.V. Diggikar.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 13TH JULY, 2023

ORDER :-

By this application, the applicants are praying to condone the delay of 2116 days caused in filing the first appeal against the judgment and award passed by the Reference Court.

Mr. Wagh h/f. Mr. K.M. More, learned advocate for the applicant invites attention of this court to para Nos. 2 to 4 of this application to contend that reasons are given for delay condonation.

Mr. Patil learned advocate for the respondent No.4 submits that the applicants have not made out sufficient cause to condone the delay.

Considering the submissions advanced and the fact that the applicants are litigating for getting just compensation towards their acquired land and the reasons stated in para.2 to 4 of the application, case is made out to condone the delay. Hence the following order :-

O R D E R

[I] Civil application is allowed.

[ii] Delay of 2112 days caused in filing the appeal is condoned subject to condition that the claimant shall not be entitled to claim interest for the delayed period and filed an undertaking to that effect to the satisfaction of the Registrar (Judicial) of this Court.

[iii] Appeal be registered.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-