

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

**CIVIL APPLICATION NO. 6321 OF 2022
IN FAST/30325/2017**

Kundlik Ganpat Honde
(died through L.Rs.)

Trimbak Kundlikrao Honde and another

.. Applicants

Versus

The State of Maharashtra and others

.. Respondents

Mr. D. M. Kakde, Advocate for the Applicants.

Mr. S. S. Dande, AGP for Respondent Nos. 1 and 2.

Mr. S. N. Janakwade, Advocate h/f Mr. Vinod Patil, Advocate for
Respondent No. 3.

CORAM : KISHORE C. SANT, J.

DATED : 13th OCTOBER, 2023.

P. C. :-

. Heard learned advocates for the parties.

2. This application is moved with a prayer of condonation of delay caused in filing first appeal. The delay is of 3157 days. The appeal is sought to be filed by the claimants whose lands are acquired for project. The reference is partly allowed. To the extent it is not allowed the applicants have approached this Court.

3. Learned advocate for the applicants produced on record a copy of order passed by this Court in Civil Application No. 51/2022 dated

21.06.2022 wherein, this Court had condoned the delay of 4612 days with the condition that the applicants shall not claim interest and statutory benefits for the delayed period.

4. Considering the above facts, this Court finds that, this application also needs to be considered in the interest of justice.

5. The civil application is allowed. Delay stands condoned.

6. It is made clear that, the applicants shall not be entitled to interest and statutory benefits for the period of delay.

7. Office to register the first appeal.

8. With this, the civil application stands disposed off.

(KISHORE C. SANT, J.)

PS.B.