

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

920 CIVIL APPLICATION NO.17098 OF 2022 IN FAST/28363/2022

SANDIPAN MAHADEO JADHAV (DIED) THR LRS. SAGJAN SANDIPAN
JADHAV AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, BEED AND
ANOTHER

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Advocate for Applicants : Mr. Bangar Nilkanth P.
AGP for Respondents: Mr. S.W. Munde
Advocate for Respondent 2 : Mr. B.R. Survase

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: August 02, 2023
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PER COURT :-

1. Heard learned counsel for respective parties.
2. By this application, the applicants seek to condone the delay of 5431 days caused in filing the appeal challenging the award passed by the Reference Court.
3. Mr. Bangar, invites attention of this Court to the order dated 7.2.2020 passed in CA No.10111 of 2016 in FA ST 3555 of 2016 and contend that in appeal arising out of same acquisition, this Court is pleased to condone the delay. The applicants are also seeking similar relief and for the reasons as given in the order, referred delay can be condoned.
4. Learned advocates appearing for the respondents do not dispute that the order referred pertains to the matter arising out of the same acquisition.
5. Considering the submissions advanced, the application is allowed subject to the condition that the applicants shall not claim interest and statutory benefit for the period of delay, in case, they succeed in the appeal. Application is disposed off.

(S. G. CHAPALGAONKAR, J.)

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aaa/-