

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 CIVIL APPLICATION NO. 15979 OF 2022
IN FAST/28656/2022 WITH CA/8323/2023 IN FAST/28656/2022

SUDAM BANDU PATIL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

.....

Advocate for Applicants : Mr. Madhav M. Bhokarikar (absent)
AGP for Respondent Nos. 1 and 2-State : Mr. A. V. Deshmukh
Advocate for Respondent No.3 : Mr. Suhas R. Shirsat h/f
Mr. V. V. Tarde
Advocate for Respondent Nos.4, 5, 9 & 10 : Ms. S. B. Kulkarni

.....

**CORAM : SMT. VIBHA KANKANWADI AND
ABHAY S. WAGHWASE, JJ.**

DATED : 07 AUGUST 2023

PER COURT :-

1. Civil Application No.15979 of 2022 has been filed for condonation of delay of 167 days in filing First Appeal. Though learned Advocate appearing for the applicant/original claimant is absent and though the learned Advocate for respondent no.3 is strongly opposing the application, yet, taking into consideration the contents of the application and in view of the fact that the applicant is the original claimant whose land has been acquired, the delay stands condoned. The application stands allowed and disposed of.

2. Registry to verify and register the First Appeal.
3. The First Appeal is **admitted**.
4. Since the application is filed in the year 2022 and there is delay of 167 days and the appeal is now admitted, under such circumstance, the applicant shall not be entitled to interest of said 167 days and also the interest till today in case of enhancement.
5. Issue notice to the respondents after admission of the appeal. Learned AGP waives notice for respondent nos. 1 and 2. Learned Advocate Mr. Shirsat h/f Mr. Tarde waives notice for respondent no.3. Learned Advocate Ms. Kulkarni waives notice for respondent nos. 4, 5, 9 and 10.
6. Notice of respondent nos. 6, 7 and 8 is made returnable on 26.09.2023.

[ABHAY S. WAGHWASE, J.]

[SMT. VIBHA KANKANWADI, J.]