

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

**955 CIVIL APPLICATION NO.38 OF 2022
WITH FAST/32840/2021 WITH CA/39/2022 WITH
FAST/32843/2021**

**SUNIL SUDHAKAR KULKARNI AND ANR
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
AURANGABAD AND ORS**

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Advocate for Applicants:

Mr. Pahune Patil N. J.

AGP for Respondent/State: Mr. S. B. Pulkundwar

Advocate for Respondent No.3: Mr. Rahul G. Joshi

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CORAM : ARUN R. PEDNEKER, J.

DATE : 31st OCTOBER, 2023

PER COURT:

1. Heard.

2. The first appeals are filed along with applications for condonation of delay of 2793 days.

3. The learned counsel for the applicants submits that the applicants are poor agriculturists and that their lands are compulsorily acquired. The learned counsel further submits that the applicants would not claim

interest and statutory benefit for the delayed period.

4. The learned counsel appearing for the acquiring body – respondent no.3 has strongly opposed the application for condonation of delay.

5. Having heard the learned counsel for the parties, I deem it appropriate to condone the delay of 2793 days in filing the first appeals, subject to condition that the applicants would not be entitled to interest and statutory benefit for the delayed period. The civil applications stand disposed of.

6. The First Appeals are **admitted**. On admission, the learned counsel / AGP waive notice for respective respondents. Call R & P. Office objections, if any, to be removed within a period of four (04) weeks from today.

[ARUN R. PEDNEKER, J.]