

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

928 CIVIL APPLICATION NO.4987 OF 2023
IN FAST/32630/2022 WITH CA/4988/2023 IN FAST/32941/2022

VIJAYKUMAR TULSHIRAM KARLE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR DIST
LATUR AND ORS

...

Advocate for Applicants : Mr. V.G. Sakolkar
AGP for Respondents: Mr. S.S. Dande.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 13TH JULY, 2023

ORDER :-

By these applications, the applicants are praying to condone the delay of 3235 days caused in filing the first appeal against the judgment and award passed by the Reference Court.

Mr. Sakolkar, learned advocate for the applicants invites attention of this court to para Nos. 2 to 6 of this application to contend that reasonable explanation is given for delay condonation. He would further submit that applicants have lost agricultural land on account of the acquisition and the compensation awarded by the Land Acquisition Officer and further by the Reference Court is highly inadequate.

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 6 of the application, case is made out to condone the delay. Hence the following order :-

O R D E R

[I] Civil applications are allowed.

[ii] Delay of 3235 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 file an undertaking to that effect to the satisfaction of the Registrant (Judicial) of this Court.

[iii] Appeal be registered.

[S.G. CHAPALGAONKAR]
JUDGE

grt/-