

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

**CIVIL APPLICATION NO.3844 OF 2020
IN
FIRST APPEAL STAMP NO. 38120 OF 2019**

Ranjeet Gangadhar Codgayle ... Applicant

VERSUS

The State of Maharashtra & Ors. ... Respondents

...
Mr. L. C. Patil, Advocate for the Applicant
Mr. S. J. Salgare, AGP for the Respondents/State

...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 10.02.2023

PER COURT :

. Heard.

2. The applicant seeks to condone the delay of 912 days caused in filing the first appeal.

3. Learned advocate appearing for the applicant submits that the applicant has lost his agricultural land on account of acquisition by the respondent-State. He has not received adequate compensation and even the reference court has granted meager enhancement to him. The delay caused in filing the first appeal is an unintentional and the same is explained in Paragraph Nos.3 to 5 of the application.

4. Learned AGP appearing for respondent nos.1 & 3 opposed the application on the ground that the delay is not properly explained.

However in alternative, he submits that in case the delay is condoned, the applicant shall not be entitled to claim the interest for the period of delay.

5. Though the respondent no.2 is duly served with the notice of this application, no appearance is caused.

6. Considering the reasons stated in the Paragraph Nos.3 to 5 of the application, the delay deserves to be condoned. However, the applicant shall not be entitled to claim the interest for the period of delay in case of grant of enhanced compensation in the appeal.

7. The civil application is allowed in the aforesaid terms and same is disposed of accordingly.

8. The appeal be registered. On registration of the appeal, be posted for admission in regular course.

(S. G. CHAPALGAONKAR, J.)

Sameer