

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

**CIVIL APPLICATION NO.2206 OF 2020
IN FAST/39315/2018**

**VITHOBA ANNA GUNJAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

**WITH
CIVIL APPLICATION NO. 2207 OF 2020
IN FAST/39317/2018**

**MAHADEO VITHAL GUNJAL
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

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Mr. L. C. Patil, Advocate for applicants
Mr. A. S. Shinde, AGP for respondent Nos. 1 and 3

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 23.02.2023

PER COURT :-

Heard.

2. The applicants seek to condone the delay of 1117 days caused in filing the appeals challenging the judgment and award dated 31.08.2015 passed by the Reference Court in L.A.R. No.763/2014 and L.A.R. No.791/2014, respectively.

3. The learned Advocate appearing for the applicants submits that the applicants have lost their agricultural land on

account of compulsory acquisition. However, they have not been adequately compensated. Due to financial difficulties they could not approach this Court within time. The delay is unintentional and they have not derived any advantage out of such delay.

4. The learned AGP appearing for respondent Nos. 1 and 3 opposes the applications on the ground that the financial difficulties cannot be the ground to condone delay. No other plausible ground is mentioned in the applications. In the alternative, he submits that if the delay is condoned, the applicants shall not be entitled to claim interest for the period of delay.

5. Considering the nature of dispute, it is desirable to condone the delay, however, subject to condition that the applicants shall not be entitled to claim interest for the delayed period.

6. The civil applications are allowed. Delay of 1117 days caused in filing the appeals, is condoned.

7. Appeals be registered.

[S. G. CHAPALGAONKAR, J.]

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