



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

**CIVIL APPLICATION NO. 6545 OF 2022
IN FAST/26199/2019**

TRIMBAK YADAV MODHAVE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr. Shubham Jaybhar, Advocate h/f Mr. Dattatraya R. Jayabhar,
Advocate for Applicant
Mr. B.B. Bhise, AGP for Respondent No.1/State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 21th JUNE, 2024

PER COURT :

1. Heard.
2. Claimant whose land is acquired has preferred this application for condonation of delay of 2658 days in filing first appeal. It is contended that since financial condition of applicant is poor, he could not prefer first appeal at earlier point of time due to paucity of funds and after receiving compensation first appeal is preferred.
3. Learned AGP vehemently opposed the application contending that there is inordinate delay in filing first appeal and the same is not properly explained and this cannot be said to be the sufficient ground for condonation of delay.
4. Considering the averments made in the application and as the delay is not deliberate, the same is condoned. Application is allowed. It is made clear that applicant/claimant shall not be entitled to claim interest for the delayed period of 2658 day, if he succeeds in the appeal.

(NITIN B. SURYAWANSHI, J.)