



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 2253 OF 2022 IN
FIRST APPEAL ST. NO. 29928 OF 2019 WITH
FRIST APPEAL ST. NO. 29928 OF 2019

Dagubai Goba Jadhav
(Deceased) through LRs
& another

.. Applicants

Versus

Sub Diivisional Officer, Pachora
& another

.. Respondents

Mr. I. K. Wagh, Advocate holding for Mr. K. G. More, Advocate for the
applicants.

Mr. S. V. Hange, AGP for the State.

Mr. S. S. Dande, Advocate for respondent No. 2.

WITH
CIVIL APPLICATION NO. 2254 OF 2022 IN
FIRST APPEAL ST. NO. 29925 OF 2019 WITH
FIRST APPEAL ST. NO. 29925 OF 2019

Shambhu Hari Jadhav
(Deceased) through LRs
& others

.. Applicants

Versus

Sub Divisonal Officer, Pachora
& another

.. Respondents

Mr. I. K. Wagh, Advocate holding for Mr. K. G. More, Advocate for the
applicants.

Mr. S. V. Hange, AGP for the State.

Mr. S. S. Dande, Advocate for respondent No. 2.

CORAM : R. M. JOSHI, J.

DATE : 12th JANUARY, 2024.

PER COURT :

1. These are the applications for condonation of delay of 801 days in preferring first appeals.
2. Heard learned counsel for the applicants, learned AGP for the State and learned counsel for respondent No. 2/acquiring body.
3. It is the contention of claimants/applicants that due to financial difficulties, the appeals for enhancement of compensation could not be filed in time.
4. Learned counsel for the applicants submits that in the facts of the case and in the interest of justice, delay caused in filing the appeals be condoned. The said contention is strongly opposed by learned AGP as well as learned counsel for the acquiring body.
5. Considering the reasons mentioned in the applications, no malafides can be attributed to the applicants for not preferring the appeals in time. It is clarified that applicants/claimants would not be entitled to interest on amount for the aforesaid period if they succeed in the appeal. In view of this, delay deserves to be

condoned. Hence, applications are allowed in terms of prayer clause 'B'. Appeals be registered.

(R. M. JOSHI)
Judge

dyb