



IN THE HIGH COURT OF JUDICATURE OF BOMBAY  
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6090 OF 2022 IN  
FIRST APPEAL ST. NO. 33708 OF 2019 WITH  
FRIST APPEAL ST. NO. 33708 OF 2019

Gopabai Parshuram Patil  
(Deceased) through LRs & others

.. Applicants

Versus

The State of Maharashtra & others

.. Respondents

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

Mr. D. B. Bhangde, AGP for the State.

Mr. A. B. Dhongade, Advocate for respondent No. 4.

**CORAM : R. M. JOSHI, J.**

DATE : 12<sup>th</sup> JANUARY, 2024.

PER COURT :

1. This is an application for condonation of delay of 1017  
days in preferring first appeal.

2. Heard learned counsel for the applicants, learned AGP for  
the State and learned counsel for respondent No. 4/acquiring body.

3. It is the contention of claimants/applicants that due to  
financial difficulties, the appeal 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 appeal 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 application, no malafides can be attributed to the applicants for not preferring the appeal 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, application is allowed in terms of prayer clause 'B'. Appeal be registered.

**( R. M. JOSHI )**  
**Judge**

dyb