



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 4204 OF 2020
IN FAST/37256/2018

Navnath Dattu Pawar And Anr

...Applicant

VERSUS

The State Of Maharashtra And Ors

....Respondent

....

Mr. A. M. Hajare, Advocate for Applicant

Mr. D. B. Bhanage, AGP for Respondents

...

CORAM : R.M. JOSHI, J

DATE : JANUARY 29, 2024

PER COURT :

1. This application is filed for condonation of delay of 1693 days in filing Appeal against judgment and award dated 18.01.2014 passed in LAR No. 397/2005.

2. According to Applicants owing to poor financial condition they were unable to approach lawyer. According to them, it is filed after obtaining hand loan they could arrange for the payment of Court fees.

3. Learned AGP opposed the application.

4. Respondent No.3 though served, failed to

appear. This indicates that this Respondent is not inclined to oppose application. This is a case of compulsory acquisition. It is a right of the claimants to get adequate compensation against compulsory acquisition. This Court finds no mala fides in not preferring Appeal in time. Denial of the interest to the Applicants for the period of delay will meet ends of justice.

5. In view of above, application stands allowed in terms of prayer clause 'B'. Applicants would not be entitled for interest for above period, if they succeed in appeal.

(R. M. JOSHI, J.)

Malani