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

**28 CIVIL APPLICATION NO. 5517 OF 2022
IN FAST/38211/2019**

**MAROTI BAPURAO PAWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR**

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Advocate for Applicant : Mr. Madde Shrikant B.
AGP for Respondents/State : Mr. D.B. Bhangе
Advocate for R/2 : Mr. Soman D.V.

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**CORAM : Y.G. KHOBRAGADE, J.
DATE : 26.03.2024**

PC.:-

1. Heard the learned counsel appearing for the applicant / original claimant as well as Mr. Bhangе the learned AGP for the non-applicant no.1 and Mr. Soman the learned counsel appearing for the non-applicant no.2.
2. By the present application, the applicant prayed for condonation of delay of 3899 days caused in lodging the appeal challenging the order passed by the Reference Court arising out of land acquisition proceedings. According to the applicant, he is an agriculturist and due to financial crisis he could not file appeal but after he has collected the amount of compensation deposited by the railway department/acquiring body he has filed the present appeal for which the delay of 3899 days (more than 10 years) has occurred.

3. Needless to say that by the present appeal the appellant/applicant wanted to seek enhancement of compensation for his land which has been acquired by the acquiring body/railway department i.e. non-applicant no.2. Therefore, considering the financial problem as well as grounds set out in the application, the same is allowed and the delay of 3899 days caused in lodging the appeal is hereby condoned. However, it is made clear that the present applicant/claimant would not be entitled for any interest or any other benefits for the delayed period. Copy of this order be kept with the First Appeal. Accordingly, the civil application is disposed of.

4. Office to register the first appeal and place before this Court for further consideration on 30.04.2024.

[Y.G. KHOBRADE, J.]