



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5513 OF 2022 IN
FIRST APPEAL ST. NO. 39003 OF 2019 WITH
FRIST APPEAL ST. NO. 39003 OF 2019

Dnyaneshwar Bhaurao Patil & others

.. Applicants

Versus

The Special Land Acquisiton Officer
& 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. Chillarge, Advocate for respondent No. 2.

CORAM : R. M. JOSHI, J.

DATE : 12th JANUARY, 2024.

PER COURT :

1. This is an application for condonation of delay of 880
days in preferring first appeal.

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 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