

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO.12778 OF 2023
IN
FIRST APPEAL STAMP NO.8319 OF 2021**

The State of Maharashtra & Anr. ..Applicants
Versus
Shri. Shivaji Mahadu Pawar (Deceased) & Ors. ..Respondents
Mr. A. R. Patil, AGP for the Applicants.

CORAM : KISHORE C. SANT, J.

DATE : 22nd MARCH, 2024

PC.

1. This Application is preferred for condonation of delay caused in filing the Appeal. Delay is of 2 years and 308 days. The impugned judgment is dated 21.02.2018. It is stated that thereafter the decision was taken to prefer the Appeal by the higher officers. It is only thereafter an Application was filed for certified copy on 13.12.2019 i.e. after more than 1 year. Certified copies were received on 21.12.2019. Thereafter accordingly proposals were made for filing Appeal and for making arrangement of Court fee etc. It is thus stated that some delay is caused. This Court has also considered the aspect of the main matter in dispute. It is seen that learned SLAO had granted compensation of Rs.15,000/- and some odd amount. Learned Reference Court has enhanced the said

amount to Rs.98,000/- and some odd amount. This Court finds that thus the amount of enhancement is so meager. It may not be in the interest of justice of any of the parties to prosecute Appeal for such small amount. This Court finds that no case is made out to condone the delay.

2. The Application for condonation of delay is therefore rejected.

3. Consequently, main Appeal stands disposed of. No order as to cost.

[KISHORE C. SANT, J.]