

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

**28 CIVIL APPLICATION NO. 6708 OF 2022
IN FAST/482/2020**

Hari Nagorao Kanakdande And Ors

VERSUS

The State Of Maharashtra And Ors

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Mr. Tushar Nagarkar h/f Mr. Kiran M. Nagarkar - Advocate for Applicant

Mr. R. D. Raut - AGP for Respondent/State

Mr. V. C. Solshe – Advocate for Respondent No. 3

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CORAM : NEERAJ P. DHOTE, J.

DATED : 01ST APRIL 2025

PER COURT : -

1. This Application is filed for condonation of 1970 days delay caused in preferring the Appeal against the Judgment and Order passed by the learned Joint Civil Judge Senior Division, Kandhar in Land Acquisition Reference No. 569 of 2007, decided on 15.04.2014.

2. Learned Advocate for the Applicants submits that sufficient reasons have been shown in the Application, which prevented the Applicants for filing an Appeal within the stipulated period. He submits that the Applicants undertake not to claim interest and statutory benefits for the said delayed period. He submits that the Application be allowed and the Appeal be heard on its own merits.

3. Learned AGP appearing for Respondent Nos. 1 and 2 and Mr. V. C. Solshe appearing for Respondent No. 3 oppose the Application.

4. None for Respondent Nos. 4 and 5, who are the original claimants and according to the learned Advocate for the Applicants, as they were not available for filing the Application, they have been arrayed as the Respondents.

5. Perused the Application.

6. For the reasons stated in paragraph nos. 3, 4 and 5 of the Application, the Application is allowed in terms of prayer clause 'B'. The Applicants shall not be entitled to interest and statutory benefits for the delayed period. A copy of this order be kept along with the Appeal memo of this matter.

[NEERAJ P. DHOTE]
JUDGE