

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

936 CIVIL APPLICATION NO. 6510 OF 2022
IN FAST/4291/2020

Bhimrao Ganpat Gaikwad And Anr
Versus
The State of Maharashtra And Ors

.....
Shri. Abhishek M. Hajare, Advocate for the Applicants
Shri. R. B. Dhaware, AGP for Respondents No.1 & 2
.....

CORAM : NEERAJ P. DHOTE, J.
Dated : MARCH 27, 2025

PER COURT :-

1. This is an Application for condonation of 2009 days delay caused in preferring the First Appeal for enhancement of compensation awarded by the learned Reference Court i.e. 5th Jt. Civil Judge (S. D.), Aurangabad *vide* Judgment and Award dated 02/05/2014 in Land Acquisition Reference No.540/2005
2. The Respondents are duly served. The learned A.G.P. appears for Respondent Nos.1 and 2. None appears for Respondent No.3.
3. It is submitted by the learned Advocate for the Applicants that the Applicants are poor farmers and their land has been acquired and due to financial constraint, they could not approach this Court within the stipulated period. He submits that the Application be allowed.

4. Application is opposed by the learned AGP appearing for Respondent Nos.1 and 2. None appears for Respondent No.3.

5. Perusal of the Application shows that the grounds in support of delay are mentioned in paragraph nos.2 to 4 of the Application. By considering the grounds mentioned in the Application, the aforesaid delay is condoned and the Application is allowed in terms of prayer clause 'B', subject to the condition that the Applicants shall not be entitled to statutory benefits and interest for the aforesaid delayed period. Copy of this order be kept in the order sheet of the Appeal memo. The Civil Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)