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

**CIVIL APPLICATION NO. 8921 OF 2023
IN FAST/11766/2023**

SHAIKH UMRAO SHAIKH KALU AND ORS

VERSUS

**THE SPECIAL LAND ACQUISITION OFFICER, JAYKWADI
PROJECT, AURANGABAD AND ANR**

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Shri Shaikh Kayyum Najir, Advocate for the Applicants.
Ms. R.R. Tandale, AGP for Respondent No.1/State.
Shri Solshe V.C., Advocate for Respondent No.2.

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CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 07th July, 2025

Per Court :-

1. This is an application for condonation of delay of 284 days in filing the First Appeal.

2. In response to the notice, learned AGP Ms.Tandale appears for respondent No.1 and learned advocate Shri Solshe appears for respondent No.2.

3. Learned advocate for the applicants submits that the appeal is filed by the original claimants seeking enhancement of compensation. It is submitted that applicant No.1 was not able to file the appeal within stipulated time on account of personal

reasons which are mentioned in paragraph No.2, namely, that his son is deaf and dumb and he was required to coordinate with the counsel for arranging court fees and for collecting documents and time was consumed in this process. Delay is not intentional and it needs to be condoned in the interest of justice.

4. Considering the submissions advanced and the reasons stated in the application, delay of 284 days is condoned subject to condition that as per the judgment of the Honourable Supreme Court in the matter of ***Suresh Kumar vs. State of Haryana and others, 2025 SCC OnLine SC 896***, the applicants/ appellants submit an undertaking before the learned Registrar (Judicial) of this Court stating therein that they will not claim any interest and other statutory benefits for the period of delay in case this appeal for enhancement of compensation is favourably considered. The undertaking be filed within eight weeks from today, which shall be made part of the First Appeal. Subject to above, the First Appeal be registered. The Civil Application is disposed of.