

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

**33 CIVIL APPLICATION NO. 6875 OF 2013
IN FAST/13897/2013**

**GAYABAI BAPURAO ALGULE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicants : Mr. Madde Shrikant B.
AGP for Respondent No. 1/State : Mrs. Chaitali Chaudhari (Kutti)

...

**CORAM : KISHORE C. SANT, J.
DATE : 17.07.2025.**

PER COURT :

1. This application is filed for condonation of delay caused in filing appeal challenging the judgment and order passed by the learned Reference Court to the extent of granting enhancement as prayed for.
2. The appeal is by the Claimants for enhancement. There is delay of 272 days caused in filing the appeal.
3. For the reasons stated in the application, delay stands condoned and the application is allowed and disposed off.
4. It seems that though the application was filed in 2013, notices came to be issued only on 31.01.2017 in absence

of Advocate for the applicants. Even thereafter the notices could not be issued as the copies were not supplied from time to time. This Court granted time to supply copies till 04.06.2018. It is seen that when conditional order was passed, only thereafter the copies were supplied for issuing notices.

5. Considering the above, this Court has inclined to grant the application. Hence following order :

ORDER

- (i) The Civil Application stands allowed.
- (ii) Delay of 272 days caused in filing appeal stands condoned.
- (iii) The office to register the First Appeal.
- (iv) The applicants however shall not be entitled to receive any interest on the amount enhanced if any, for the delayed period.
- (v) They shall be entitled only 50% of the amount on said enhanced amount in tune of order 2018 from the date of filing of the application.
- (vi) With this application stands disposed off.

**(KISHORE C. SANT)
JUDGE**