



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

**917 CIVIL APPLICATION NO. 8090 OF 2022
IN FAST/20286/2021**

Laxman Gangaram Shelke
VERSUS
The State Of Maharashtra And Ors

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Mr. Ajinkya A. Joshi h/f Mr. Sharad V. Natu - Advocate for Applicant
Mr. D. J. Patil - AGP for Respondent/State
Mr. Vinayak P. Narwade - Advocate for Respondent No. 3

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**CORAM : NEERAJ P. DHOTE, J.
DATED : 06TH MAY 2025**

PER COURT : -

1. This is an Application for condonation of 4658 days' delay caused in preferring the First Appeal by the Original Claimant for further enhancement in the compensation for his acquired land for Lendi Project.

2. The learned Advocate for the Applicant submits that, though the delay is huge, there are genuine reasons for the same, which have been spelt out in the Application. He submits that, due to acquisition of land, the Claimant had to shift to some other place and had no job and, therefore, he was prevented from preferring an Appeal within the stipulated time. He submits that the Applicant will not claim interest and statutory benefits for the said delayed period.

3. The Application is opposed by the learned AGP for Respondent Nos. 1 and 2 and learned Advocate for the Acquiring Body. They submit that there is huge delay and the reasons mentioned in the Application are not sufficient and the Application be rejected.

4. The Applicant has quoted the following reasons in support of the Application.

“4. Applicant says that, after he lost his house in acquisition, he shifted to Jiwati, Tq: Jiwati, Dist: Chandrapur for his livelihood and his only source of income is singing kirtans. Applicant says that, he had to sell his agricultural land to get a job, however he could not get a job anywhere. Applicant says that, as shifted to Jiwati, Chandrapur, he could not keep track of the reference. Applicant says that, the amount received by him was used to repay earlier hand loans as well for the education of his children. Applicant says that, he had no money for paying court fee for filing of appeal before this Hon’ble Court and therefore due these circumstances he could not prefer the appeal within time. Applicant says that, the delay in preferring the appeal neither intentional nor is it due to fault of the applicant.”

5. The Applicant is ready to waive interest and the statutory benefits for the aforesaid delayed period. Hence, considering the aforementioned reasons, I am inclined to grant the Application and the same is disposed off in terms of prayer clause ‘B’ thereof. The Applicant/ Claimant shall not be entitled to statutory benefits and the interest for the delayed period. A copy of this order be kept in the Appeal memo of this matter.

[NEERAJ P. DHOTE]
JUDGE