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

**28 CIVIL APPLICATION NO. 1966 OF 2018
IN FAST/23809/2014**

**SURYABHAN SOPAN BIRADAR AND ANOTHER
....Applicant**

VERSUS

**THE STATE OF MAHARASHTRA AND ANOTHER
.....Respondents**

Mr. S. S. Halkude, Advocate for the applicant
Mrs. M. N. Ghanekar, AGP for the respondents/State

CORAM : KISHORE C. SANT, J.

DATE : 15th JULY, 2025

P. C.

1. This application is for condonation of delay of 2633 days caused in filing appeal for enhancement in the amount of compensation.

2. Since the learned advocate for the applicant relies on the order passed by this court in the application No. 17038/2015 with connected matters dated 27-02-2017, the learned advocate submits that this order is passed in respect of

the same village for similar project for percolation of tank. In the said order, this court has allowed the delay condonation application subject to condition that the applicants shall not be entitled to receive any interest in case, there is enhancement in the appeal.

3. Since the application is of 2018 no serious attempts were made to get it circulated, the applicants shall be entitled to receive only 50% of the interest on the amount of enhancement from the date of filing of the application till today.

4. Considering above, this court deem it fit to allow the application as well. Hence, the civil applications stands allowed.

5. It is made clear that the applicants shall not be entitled to receive any interest on the amount, in case, it is enhanced in the appeal for a delayed period.

[KISHORE C. SANT, J.]