



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

904 CIVIL APPLICATION NO. 2210 OF 2019
IN/WITH FAST/25447/2018

Dattu Jotiram Mule

VERSUS

The State of Maharashtra And Anr

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Advocate for Applicant : Mr. Wakure Sanjay A.

AGP for Respondents: Mr. D.J. Patil

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CORAM : SANJAY A. DESHMUKH, J.

DATED : 17th JANUARY 2025

PER COURT :-

1. Heard.
2. Issue notice to the respondents. Learned A.G.P. waives service for respondent Nos. 1 and 2.
3. This is an application for condonation of delay of 1920 days delay caused in filing the appeal.
4. Perused the contents of the application and heard learned advocates for the parties. Learned advocate for the applicant submits that the applicant is illiterate and he is not conversant with the provisions of law. It is also contended that when the applicant came to know that other similarly situated claimants had received more

compensation amount than the applicant the applicant has filed the first appeal. In this process, the delay is caused. Learned A.G.P. strongly opposed the application and prayed to reject the same.

5. Considering the reasons stated in the application and in view of the laid down by the Hon'ble Supreme Court in the cases of *Imrat Lal and others vs. Land Acquisition Collector and others, (2014) 14 SCC 133* and *New Okhla Industrial Development Authority vs. Rameshwar @ Ramesh Chandra Sharma (Dead) Through Legal Heir and Another,; 2022 SCC Online SC 1599*, the application deserves to be allowed in the interest of justice. The application is thus allowed. Delay of 1920 days caused in filing the first appeal is condoned on the condition that the applicant shall not claim interest for the delayed period on the amount, if any, enhanced by this court in the first appeal.

6. In first appeal, **Admit**. Learned A.G.P. waives service for respondents. List the first appeal on 21.2.2025 for final hearing.

(SANJAY A. DESHMUKH, J.)

rlj/