



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 11895 OF 2023
IN FAST/28541/2023

Patilba Hari Pachpind

VERSUS

The State Of Maharashtra Through
Collector, Ahmednagar And Anr

- Mr. R. L. Kute, Advocate for the Applicant
- Mr. S. K. Shirse, AGP for the Respondents/State

CORAM : R. M. JOSHI, J

DATE : JULY 23, 2025

PER COURT :

1. This Application is for condonation of delay caused in preferring Appeal against the award dated 05.07.2013 passed by the C.J.S.D. Sangamner in Reference No. 72/2002 (Old No. 47/2002). The delay is of 3624 days. It is sought to be explained that on account of financial crisis, the Appeal could not be filed in time. It is specifically claimed that in the month of June, 2023 the enhanced compensation was paid.

2. Learned Counsel for the Appellant/Applicant submits that the delay has been satisfactorily explained. He makes statement, on instructions, that the Appellant would not claim interest if enhancement

is granted from the date of impugned order till the registration of the Appeal.

3. Learned AGP opposes the Application vehemently.

4. The Hon'ble Supreme Court has held in case of Suresh Kumar vs. State of Haryana and Others with connected matters, SLP (C) No. 670/2020, 2025 INSC 550 that delay can be condoned in cases of compulsory acquisition of the lands in preferring Appeal by denying the interest to the claimants for the relevant period. In view of the same and as there is satisfactory explanation given for condonation of delay, the Application stands allowed in terms of prayer clause 'B'.

5. It is clarified that the Appellant would not be entitled to seek any interest on the enhanced amount from the impugned order till the registration of the Appeal.

(R. M. JOSHI, J.)