



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 12394 OF 2024
IN FAST/27886/2024

Bapurao Sitaram Zharekar Died Thr. Lrs Panchfula Sadashiv Zharekar
And Ors

....Applicant

VERSUS

The State Of Maharashtra Through The Collector Jalna And Ors.

.....Respondent

.....

Advocate for Applicant : Mr. Jadhav Kailas B

AGP for Respondents: Mr. V.S. Badakh.

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 8th MAY, 2025.

P.C. :-

1. The applicants seek to condone delay of 2618 days caused in filing appeal.
2. Perused the reasons. It is stated that due to financial difficulties and lack of knowledge and procedure of court, the applicants could not file appeal within time. The applicants are litigating for getting just compensation for their acquired land. Their Reference was partly allowed. They seek to file appeal for further enhancement of compensation.
3. Learned AGP for respondent Nos. 1 and 2 oppose the application. Respondent No.3 although served failed to appear.
4. Considering the contents of application and reasons stated therein and the law laid down by the Supreme Court of India in case of ***Suresh Kumar vs. State of Haryana and others in SLP @ No. 670 of 2020***, sufficient cause is made out to condone the delay. The application is allowed subject to condition that the applicant files an undertaking to the satisfaction of Registrar (Judicial) of this Court to the effect that he shall not claim interest and statutory benefits for the delayed period, within a period of eight weeks from today. Delay of 2618 days caused in filing the appeal is condoned. Appeal be registered.

[S.G. CHAPALGAONKAR, J.]

grt/-