

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

927 CIVIL APPLICATION NO. 7283 OF 2022
IN FAST/31563/2021

Sunder S/o Sitaram Davare (Died)
Thr LRs Suvarna And Ors

Versus

The State of Maharashtra
Thr Collector, Jalna and Ors

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Shri. Durgesh M. Pingale, Advocate for the Applicants
Shri. Rajdeep D. Raut, AGP for the Respondent / State.
Shri. S. G. Bhalerao, Advocate for Respondent No.3 through V.C.

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CORAM : NEERAJ P. DHOTE, J.

Dated : APRIL 2, 2025

PER COURT :-

. This is the Application by the Claimants for condonation of 2079 days delay in preferring the Appeal against the Judgment and Award dated 18.12.2015 passed by the learned 3rd Jt. Civil Judge, Senior Division, Jalna in LAR No.200/2010 (Old LAR No.31/08).

2. It is submitted by the learned Advocate for the Applicants that sufficient reasons are shown in the Application which prevented the Applicants to approach this Court within the stipulated time. He submits that the Applicants undertake not to claim the interest and statutory benefits for the delayed period.

3. The Application is opposed by the learned Advocate for the Acquiring Body and the learned AGP for the State. They submit that

sufficient reasons are not shown in the Application and hence, the Application be rejected.

4. There is no dispute that, this Court in connected matter i.e. in Civil Application No.7728 of 2022 in First Appeal (St.) No.1034 of 2020 by order dated 05.08.2022 condoned the delay of 1305 days in preferring the Appeal by the Claimants therein.

5. On hearing both the sides and for the reasons mentioned in paragraph nos.4, 5 and 6 of the Application, the Application is allowed in terms of prayer clause 'A'. The Applicants / Claimants shall not be entitled to the interest and statutory benefits for the aforesaid delayed period. The copy of this order be kept with the order sheet of the Appeal memo. Civil Application stands disposed off accordingly.

(NEERAJ P. DHOTE, J.)

GGP