



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

**CIVIL APPLICATION NO. 13737 OF 2024
IN FAST/33803/2024**

Gangadhar Madhavrao Chandapure And Ors

VERSUS

The State Of Maharashtra Through The Collector Nanded And
Ors

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Mr. D. A. Bide, Advocate for Applicants

Mr. V. S. Badakh, AGP for Respondents-State

Mr. M. C. Swami, Advocate for Respondent No.3

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : 20th FEBRUARY, 2025

PER COURT :-

1. Heard learned Advocate appearing for respective parties.
2. By this application, applicants seek to condone the delay of 949 days caused in filing appeal against the award of Reference Court. Applicants are seeking further enhancement of compensation, being aggrieved by the quantification made by the Reference Court. It is submitted that the respondent No.3/acquiring body has also assailed the self-same award and their appeal is pending before this Court.
3. Apparently, this appeal is in the same nature of counter

claim or cross appeal.

4. In that view of the matter, there is no impediment in condoning the delay, caused in filing appeal by putting certain conditions. Hence following order:

ORDER

- a. Civil Application is **allowed**.
- b. Delay of 949 days caused in filing appeal is hereby condoned, subject to condition that applicants file usual undertaking to learned Registrar (Judicial) of this Court that they shall not claim any interest and statutory benefit, in case, their appeal for enhancement of compensation favorably considered by this Court.
- c. Undertaking to be filed within a period of six weeks from today. On filing of such undertaking, appeal be registered, subject to removal of the office objections.

(S. G. CHAPALGAONKAR, J.)