



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

**CIVIL APPLICATION NO. 1624 OF 2025
IN FAST/34478/2024**

**PRABHU D. RATHOD (DIED) THR. LRS BABUBAI @ PABOBAI
(DIED) THR LRS. KANTILAL P. RATHOD AND ANR**

VERSUS

**THE SPECIAL LAND ACQUISITION OFFICER, JALGAON AND
ANR**

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Mr. Mohit Rajendra Malpani, Advocate for Applicants.

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

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 27th MARCH, 2025.**

P.C.:-

1. Heard learned Advocate appearing for the respective parties.
2. By this application, applicants seek to condone delay of 771 days caused in filing Appeal against award passed by Reference Court.
3. Perused application and reasons as stated therein, apparently applicants could not approach this Court because of adverse financial condition. The applicants are litigating for getting just compensation towards acquired land. Therefore, no malafides can be attributed against them. Hence, sufficient cause is made out to condone delay subject to certain condition. Hence, following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 771 days caused in filing Appeal is hereby condoned.

c. Appeal be registered subject to condition that applicants file an undertaking to the Registrar (Judicial) of this Court that they shall not claim interest and statutory benefit for the delayed period, in case their appeal is allowed and compensation is enhanced in this Appeal. Such an undertaking to be filed within a period of four weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/March-2025