



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 125 OF 2025
IN FAST/35434/2024

Popat Baburao Ghule

....Applicant

VERSUS

The State Of Maharashtra, Through Collector, Jalna And Ors

.....Respondent

.....

Advocate for Applicant : Mr. Pramod C. Mayure

CORAM : S.G. CHAPALGAONKAR, J.

DATE : 18TH FEBRUARY, 2025.

P.C. :-

1. Heard Mr. Mayure, learned advocate for the appellant.
2. Applicant seeks to condone delay of 1993 days caused in filing the appeal. Perused the application and reasons stipulated in para. 3 to 6. It appears that after passing of the award by Reference Court, applicant could not approach this Court due to financial difficulties. Further, there was pandemic situation subsisting during the period from 2020 to 2022. applicant received part of compensation in the month of April, 2024 in pursuance of the award passed by Reference Court. Thereafter, he could arrange for court fees and expenses for fling the appeal.
3. The reasons stated in application are not controverted by respondent by filing affidavit in reply. Further, fact remains that applicant is litigating for getting just compensation towards acquired

land. In that view of the matter, the delay deserves to be condoned by putting certain conditions. Hence, following order :-

ORDER

- [i] The application is allowed. Delay of 1993 days caused in filing the appeal is condoned subject to condition that the appellant files an undertaking that he shall not claim interest and statutory benefits for the delayed period, in case the appeal is favourably considered and enhancement is granted. Undertaking to be filed within six weeks from today.
- [ii] After filing undertaking, appeal be registered. Note of undertaking be taken on record of appeal.

[S.G. CHAPALGAONKAR, J]

grt/-