IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

947 CIVIL APPLICATION NO. 12732 OF 2024
IN FIRST APPEAL (ST) NO. 31429 OF 2024

PURNABAI MOHAM PAWAR (DIED) THROUGH L.RS. RAJU MOHAN PAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH SPECIAL LAND ACQUISITION OFFICER COLLECTOR OFFICE AURANGABAD AND ANOTHER

...
Mr. R.N. Pahune Patil h/f. Mr. N.J. Pahune Patil - Advocate for Applicants
Mr. D.B. Bhange - AGP for Respondent Nos.1 and 2, State
....

CORAM : SHAILESH P. BRAHME, J.
DATE : 17.06.2025

PER COURT :

1. The applicants original claimants have preferred appeal for enhancement and there is delay of 3272 days. Learned Counsel for the applicants relies on the contents of paragraph Nos.2 and 3 of application for condonation of delay. Due to precarious financial condition appeal could not be preferred in time.

2. Learned A.G.P. opposes the explanation relying upon the affidavit–in–reply.

3. Considering the rival submissions of parties, I find that there

are no malafides on the part of applicants in preferring the appeal belatedly. The applicants are ready to forgo interest and statutory benefits for the delayed period.

4. The Civil Application is allowed in terms of prayer clause 'B' on condition that, the applicants shall not be entitled for interest and statutory benefits for the delayed period of 3272 days, in case of enhancement of compensation.

5. Office shall register First Appeal.

[SHAILESH P. BRAHME]
JUDGE

Pooja Kale