

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

**950 CIVIL APPLICATION NO. 3924 OF 2011
IN FAST/6145/2011**

**THE STATE OF MAH, THR. COLLECTOR, OSMANABAD
VERSUS
KALYAN SAHEBRAO ATOLE**

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**Advocate for Applicant : Mr. N. B. Patil, AGP
Advocate for Respondent: Mr. M A. Thorbole**

CORAM : A. M. BADAR, J.

DATE : 09th December, 2015

PER COURT :

1. This is an application for condonation of delay in filing appeal under section 54 of the Land acquisition Act.
2. Heard learned AGP as well as learned counsel appearing for non-applicant. According to learned counsel appearing for non-applicant, the amount under the award is already withdrawn by the non-applicant.
3. Averments made in the application are not countered by filing counter affidavit. No prejudice will be caused to non-applicant, if the delay is condoned as amount under the award is already withdrawn. Hence, for the reasons stated, the application is allowed. Delay in filing of appeal is condoned.
4. Civil application is disposed of accordingly.

(A. M. BADAR, J.)

JPC