

- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATIONS NOS.1113/2011 AND 1114/2011
IN
FIRST APPEAL NO.19/1994

Shivajirao Ambadasrao Belkunde,
L.Rs. Chandrakant Shivajirao Belkunde &
others.

...Applicants..

Versus

The State of Maharashtra.

...Respondent...

.....

Shri V.C. Solshe, Advocate for applicants.

Shri S.N. Marlapalle, AGP for respondent – State.

.....

CORAM: T.V. NALAWADE, J.

DATE: 18.11.2015

ORDER :

1] Civil Application No.1113/2011 is filed for condonation of delay caused in filing application for the relief of setting aside the order of dismissal for default made by this Court and Civil Application No.1114/2011 is filed for setting aside the order of dismissal for default made by this Court.

2] The learned counsel for the applicants submitted that the appeal was admitted and four weeks time was given for complying the things like depositing the amount

- 2 -

for preparation of paper book in the trial Court. He submits that as the amount was not deposited, the appeal came to be dismissed for default. The applicants had filed appeal against the decision of Reference Court given u/s 18 of the Land Acquisition Act.

3] In view of the contents of the civil applications, submissions made, though the delay is huge, which is of 5670 days, the same is condoned. Both the civil applications are allowed in the interest of justice. The order of dismissal of appeal for default is set aside. The amount be deposited by the applicants prior to 11.12.2015. If the amount is not deposited prior to 11.12.2015 and other office objections are not removed prior to 11.12.2015, it shall be treated that both these civil applications shall stand dismissed.

(T.V. NALAWADE, J.)