

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

935 CIVIL APPLICATION NO. 9698 OF 2016
IN FAST/19898/2016 WITH CA/9700/2016 IN FAST/19901/2016
WITH CA/9702/2016 IN FAST/19904/2016 WITH CA/9704/2016 IN
FAST/19907/2016

THE STATE OF MAHARASHTRA AND ANR
VERSUS
VIJAY LAXMAN BELOTE

...
Advocate for Applicants : S.P. Deshmukh
Advocate for Respondents : Sonwane Mahesh
...

CORAM : P.R. BORA, J.
DATE : 15-10-2016.

Per Court :

1. Heard the learned A.G.P. and the learned counsel appearing for the respondents i.e. the original claimants. Delay of 1418 days has occurred in filing the appeals by the state against the judgment and award passed on 03.05.2012 in Land Acquisition Reference no. 221 of 2001 with three connected Land Acquisition References.

2. Learned A.G.P. submitted that, in making procedural compliances, seeking the approval and sanctions at different levels in collecting necessary documents and in arranging amount for court fees, time has been consumed and that is the reason the appeals could not be filed within the stipulated period of limitation. Learned A.G.P. Submitted that delay caused is unintentional and for

bonafide reasons. The learned A.G.P., therefore, prayed for condoning the delay and to extend an opportunity to the state to contest the matters on merits.

3. Shri Deshmukh, learned counsel appearing for the respondents i.e. original claimants opposed for condonation of delay. The learned counsel submitted that, the delay of huge period has occurred in filing the appeals and no sufficient reasons are assigned in justification of the delay so caused. The learned counsel, however, in the alternative submitted that, if the learned A.G.P. is ready to argue the matters on merits, immediately, he may not have any objection for condoning the delay and decide the matters on merits. The learned A.G.P. was prompt enough in submitting that he is ready with the matters and may argue the appeals finally today itself.

4. In view of the above the delay is condoned. Appeals be registered in accordance with law. On registration of appeals issue notice to respondents. Learned counsel Mr. Mahesh Sonwane waives for the respondents i.e. original claimants. Service Complete. Civil application stand disposed of.

(P.R. BORA)
JUDGE