

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
AURANGABAD BENCH, AURANGABAD**

**CIVIL APPLICATION NO. 2647 OF 2017
IN FAST/2682/2017**

KISAN SOMALA JADHAV
VERSUS
THE STATE OF MAHARASHTRA THR THE COLLECTOR,
PARBHANI AND ORS

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Advocate for Applicant : Kale Mahesh P.
AGP for Respondents 1 and 2: Mr. S.S.Dande

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CORAM : K.L.WADANE, J.

DATED : 22nd September, 2017

O R D E R :

This is an application for condonation of delay of 58 days caused in filing appeal.

Heard Mr. Kale, learned counsel for the applicant and learned A.G.P. for respondent nos. 1 and 2. None present for respondent no.3.

Learned A.G.P. opposes the application on the ground that there was negligence on the part of the claimant/applicant to present the appeal.

From the contents of the application, it appears that the decision of the Reference Court was not communicated to the claimant by his advocate till 20.11.2016. However, due to

demonetization of the currency the claimant was not having money to purchase the court fee. Therefore, the delay has been caused.

From the contents of the application, it appears that the delay is properly explained. Therefore, same is liable to be condoned and it is accordingly condoned.

Civil Application is disposed of.

In First Appeal, issue notice to the respondents, returnable on 4.12.2017.

Learned A.G.P. waives service of notice for respondent nos. 1 and 2.

(K.L.WADANE, J.)

dbm