

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

CIVIL APPLICATION NO. 3824 OF 2017

IN

FIRST APPEAL ST. NO. 3302 OF 2017

ASHOK YADAVRAO GORADE

AND ORS

...Applicants

VERSUS

THE STATE OF MAHARASHTRA

THR THE SPECIAL LAND ACQUISITION

OFFICER, AURANGABAD AND ANR

...Respondents

...

Advocate for Applicants : Mr.Pahune Patil
Nandkishor J.

Mr. A.M.Phule, A.G.P. For respondent no.1

Mr. Surwase B.R. Advocate For R/2

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WITH

CIVIL APPLICATION NO. 9907 OF 2017

IN FAST/23586/2017

CIVIL APPLICATION NO. 10764 OF 2017

IN FAST/24292/2017

CIVIL APPLICATION NO. 10791 OF 2017

IN FAST/24290/2017

CORAM : K.L.WADANE, J.

DATED : 29th AUGUST, 2017

O R D E R :

Notice to the respondents. Learned A.G.P.
and learned counsel waive service of notice for

respective respondents.

2. On perusal of the applications, it appears that the applicants are prevented from certain causes, such as, financial constraints to prefer appeals within limitation. However, the inaction and/or negligence on the part of applicants to some extent, is responsible for causing such inordinate delay.

3. Learned A.G.P. for the respondent/State and learned counsel for acquiring body strongly resisted the applications on the ground that the delay has not been explained satisfactorily. In the alternate, they submit that delay may be condoned on the condition that if the applicants succeed in the appeals, the applicants shall not be entitled for the amount of interest and/or other statutory benefits of the period for which delay is sought to be condoned.

4. In view of above and in the light of observations made by the Supreme Court in para 14 of the judgment in the case of **Ramanlal Deochand Shah vs State of Maharashtra and another**, reported

in **AIR 2013 SC 3452**, Civil Applications for condonation of delay are allowed. Delay in filing the appeals is hereby condoned on the condition that the applicants shall not be entitled for the amount of interest and/or other statutory benefits of the period for which delay is sought to be condoned.

5. Civil Applications are disposed of.

6. In first appeals, issue notice to the respondents, returnable on 26.9.2017.

7. Learned A.G.P. and learned counsel waive notice for respective respondents on admission.

8. Call for Record and Proceedings.

9. First Appeals in the above applications be referred to the Lok Adalat which is scheduled to be held on 9.9.2017.

10. The parties to take note. Learned counsel for the respondents to instruct the respondents to remain present in the Lok Adalat on 9.9.2017.

(K.L.WADANE, J.)

dbm