

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

963 CIVIL APPLICATION NO. 4386 OF 2017
IN FAST/5438/2017

DASHARATH RANGRAO HAKE
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicant : Mr. Sontakke Gajanan K
AGP for Respondent 1 and 2: Mr. P.G. Borade
.....

CORAM : V. K. JADHAV, J.
DATED : 30th JUNE, 2017

PER COURT:-

1. Heard learned counsel for the applicant and learned A.G.P. for the respondent Nos. 1 and 2. None appears for respondent No.3 acquiring body though duly served. Learned counsel for the applicant submits that due to financial constraints the applicant, who is poor agriculturist, could not prefer appeal within limitation. Learned A.G.P. has strongly resisted the application on the ground that delay has not been explained satisfactorily.

3. In view of submissions made on behalf of the applicant and for the reasons stated in the civil application, delay of 679 days caused in filing first appeal is hereby condoned. Civil application is allowed and disposed of.

2. In first appeal, issue notice to the respondents, returnable on 11.08.2017. Learned A.G.P. waives notice for respondent Nos.1 and 2. Call for record and proceedings.

(V. K. JADHAV, J.)