

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

**CIVIL APPLICATION NO. 14538 OF 2015
IN
FAST/6714/2015**

**MADANLAL LALCHAND JAIN
VERSUS
NANDURBAR MUNICIPAL COUNCIL NANDURBAR AND OTHERS**

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Advocate for Applicants : Mr. Pingale Durgesh M
AGP for Respondents 2 to 5 : Mr. B.A.Shinde
Advocate for Respondent no.1 : Mr. Bagul D.S.

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CORAM : K.L.WADANE, J.
DATED : 13th September, 2017

O R D E R :

This is an application filed by the appellant for condonation of delay of 1206 days in filing First Appeal.

2. Heard learned counsel for the applicant and the learned A.G.P. for respondents/State.

3. The reasons stated in the application for condonation of delay is that after the decision of the Reference Court, the mother of the applicant died. Subsequently his father died. Therefore, he was not in a position to approach this Court within time. According to the applicant, delay

caused in filing Appeal is accidental and not intentional. Learned counsel further submits that the acquiring body has preferred appeal arising out of the same award. Therefore, the applicant prayed for condonation of delay.

4. In view of the fact that the acquiring body has already preferred appeal against the same award and for the reasons stated in the application, delay caused in filing First Appeal is condoned.

5. Civil Application is disposed of.

(K.L.WADANE, J.)

dbm