

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

38 CIVIL APPLICATION NO. 12039 OF 2013
IN FAST/8680/2013

GOVIND SOPAN LALEKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Natu Sharad V.
AGP for Respondents No. 1 and 2: Mr. S.S. Dande.
Advocate for Respondent No. 3 : S.G. Chincholkar.

CORAM : K. L. WADANE, J.

DATE : 16th August, 2017

ORDER:

1. This is an application for condonation of delay. Perused the contents of the application. It appears that the applicant was prevented from certain causes such as financial constrains etc. Therefore, he was unable to prefer the appeal within prescribed period of limitation. However, the inaction and the negligence on the part of the applicant is there to some extent.

2. Learned A.G.P. appearing for the respondents No. 1 and 2 and learned counsel appearing for respondent No. 3/Acquiring Body have objection to condone the delay.

3. Mr. Natu, learned counsel submits that, the delay caused for filing appeal in the connected matters

is already condoned by this Court.

4. In view of the above, and in the light of the 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 A.I.R. 2013 SC 3452**, the civil application for condonation of delay is allowed. Delay in filing the appeal is hereby condoned on the condition that the applicant shall not be entitled for the amount of interest and other statutory benefits of the period for which delay sought to be condoned.

5. Civil application for condonation of delay is accordingly disposed of.

6. In first appeal, issue notice to the respondents. The learned A.G.P. Appearing for the respondents No. 1 and 2 and learned counsel counsel appearing for the respondent No. 3 waive service of notice for the respective respondents.

7. Call record and proceedings.

(K. L. WADANE, J.)

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