

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

10 CIVIL APPLICATION NO. 8381 OF 2016
IN FAST/16001/2016 WITH CA/8382/2016 IN FAST/16494/2016 WITH
CA/8383/2016 IN FAST/16505/2016

BHAU PALU BHANDALKAR (BHANDANKAR) AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Shri. Devakate Anant R.
AGP for Respondent / State : Shri. S. P. Sonpawale

...

CORAM : PR. BORA, J.
DATE : 06-07-2017.

P. C. :

1) Heard Shri Devkate, the learned Counsel appearing for the applicants and Shri. Sonpawale, learned AGP appearing for the State. Though the acquiring body is duly served, none has entered appearance on its behalf. Delay of 366 days has occurred in filing the present appeals by the appellants /original claimants. Learned Counsel for the applicants submitted that since the appellants were not in a position to purchase the court fees stamps and to incur the further legal expenses for filing the appeals, they could not file the appeals within the period of limitation. The learned Counsel, therefore, prayed for condoning the delay. The learned AGP opposed for condoning the delay stating that the reasons which are assigned are insufficient.

2) I have carefully considered the submissions made on behalf of the parties. The reason which has been assigned by the

applicants for occurrence of delay in filing the appeals cannot be outrightly rejected. The appeals filed by the appellants need to be heard on merits. Hence, the following order.

ORDER

- 1) Delay caused in filing the appeals is condoned.
- 2) Appeals be registered in accordance with the law.
- 3) Civil Applications stand disposed of.

**(PR. BORA)
JUDGE**