

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

CIVIL APPLICATION NO. 16353 OF 2015

IN FAST/19537/2015

WITH CA/16354/2015 IN FAST/19617/2015

WITH CA/16355/2015 IN FAST/19615/2015

WITH CA/16356/2015 IN FAST/19613/2015

WITH CA/16357/2015 IN FAST/19619/2015

WITH CA/16358/2015 IN FAST/19621/2015

WITH CA/16359/2015 IN FAST/19611/2015

WITH CA/16360/2015 IN FAST/19623/2015

WITH CA/16361/2015 IN FAST/19625/2015

VAIJNATH AMRUTA BOLEGAVE DECEASED THR LRS

SHANTABAI VAIJNATH BOLEGAVE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Sakolkar Vijay G. And
Nandagavale H.B.

AGP for Respondent/State : Mr. S.S.Dande

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CORAM : K.L.WADANE, J.

DATED : 22nd September, 2017

O R D E R :

These are the applications filed by the applicants/claimants for condonation of delay caused in filing First Appeals.

2. The grounds for condonation of delay mentioned in the applications are that the applicants live in remote area and are poor and have no knowledge of legal proceedings and after collecting certified copies of documents and

making preparations for payment of court fee and other incidental expenses for filing appeals approached the advocate for filing appeals. The applicants prayed that delay is not intentional and may kindly be condoned. 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 strongly resisted the applications on the ground that the delay has not been explained satisfactorily. In the alternate, it is submitted 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.

(K.L.WADANE, J.)

dbm