

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

**CIVIL APPLICATION NO. 15840 OF 2016
IN CRAFT/29252/2016**

UMARAOSING BHADURSING RAJPUT (DIED) HIS L.RS. SMT.
SUNDARABAI UMARAOSING RAJPUT AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
OSMANABAD AND ANOTHER

...

Advocate for Applicants : Mr. Ingale Vivekanand V.
A.G.P. for respondents : Mr. B.A.Shinde

.....

CORAM : K.L.WADANE, J.

DATED : 19th September, 2017

O R D E R :

Notice to the respondents. Learned A.G.P. waives service of notice for the respondents.

2. This is an application for condonation of delay of 880 days caused in filing Revision Application. On perusal of the application, it appears that the applicants are prevented from certain causes, such as, financial constraints to prefer appeal within limitation. 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 respondents/State

strongly resisted the application on the ground that the delay has not been explained satisfactorily. In the alternate, he submits that delay may be condoned on the condition that if the applicants succeed in the Revision, 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 Application for condonation of delay is allowed. Delay in filing the Revision 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 Application is disposed of.

(K.L.WADANE, J.)

dbm