

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 147 OF 2017
IN
SECOND APPEAL (ST.) NO. 35955 OF 2016

ACHYUT RAMBHAU RAUT

.. APPLICANT

Vs.

TRIMBAK RAMBHAU RAUT AND OTHERS

.. RESPONDENTS

Mr. S.K. Chavan, Advocate for the applicant
Mr. B.S. Kudale, Advocate for respondents

CORAM : SUNIL P. DESHMUKH, J.
DATE : 24/03/2017

ORDER :

1. Heard learned counsel for the parties.
2. It is being submitted by learned counsel for the applicant, the reasons given are genuine and there had been no particular intention to cause the delay, neither it is the case of the respondents, that the delay is deliberate.
3. Looking at the guidelines, which are given in the decision of supreme court in the case of *Collector, Land Acquisition, Anantnag Vs. Ms. Katiji and ors.* reported in *A.I.R. 1987 S.C. 1353*, although learned counsel for the respondents, purports to rely on a decision of this court in the case of *Kamalbhai w/o Narasaiyya Shrimal and anr. 2007 V/s. Ganpat S/o*

Vithalrao Gavare, reported in 2007(1) *Mh.L.J.* 807, in the facts of the present case, it is expedient in the interest of justice, to condone the delay.

4. In view of aforesaid, civil application stands granted in terms of prayer clause (B) and is disposed of.

[SUNIL P. DESHMUKH]
JUDGE

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