

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

CIVIL APPLICATION NO. 7133 OF 2016

IN

FAST/37731/2015

WITH CA/7134/2016 IN FAST/37728/2015

WITH CA/7448/2016 IN FAST/37733/2015

WITH CA/7449/2016 IN FAST/37667/2015

WITH CA/7933/2016 IN FAST/37669/2015

WITH CA/9200/2016 IN FAST/185/2016

PURUSHOTTAM JAGANNATH SONWANE

VERSUS

THE COLLECTOR, JALGAON AND OTHERS

...

Advocate for Applicant : Mr. Wani Girish V.

AGP for Respondent No.1 : Mr. S.S.Dande

Advocate for Respondent no.2 : Mrs. Kutti

Choudhary Chaitali

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CORAM : K.L.WADANE, J.

DATED : 10th October, 2017

O R D E R :

Notice to the respondents. Mr. Dande, learned A.G.P. and Mrs. Kutti, learned counsel waive service of notice for respective respondents.

2. On perusal of the applications, it appears that the applicants had become homeless and on receiving amount of compensation had to arrange for their shelter, and, therefore, they were prevented from preferring appeals 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 applications on the ground that the delay has not been explained satisfactorily. In the alternate, they submit 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