

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

6 CIVIL APPLICATION NO. 9134 OF 2015
IN FAST/18638/2015

BHAGWAT DAJI ADSUL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Mete V.G.
AGP for Respondent no.1 : Mr. A.P.Basarkar

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CORAM : SUNIL K. KOTWAL, J.

DATE : AUGUST 24, 2018

O R D E R :

This application is filed for condonation of delay of 1822 days in filing appeal on the ground of poverty of the applicant and lack of proper legal advise.

2. Learned AGP for respondent no.1 opposed the application. None present for respondent no.2.

3. This appeal is preferred against the award passed by the Civil Judge, Senior Division, Osmanabad. Applicant is small agriculturist residing in the village. Considering the weak financial condition of the applicant and probability of lack of proper legal

advise, it is desirable to exercise discretion in favour of the applicant.

4. Therefore, Civil Application is allowed. Delay is condoned, subject to direction to the applicant to furnish undertaking within six weeks that he would not claim interest for the delayed period. Written undertaking submitted by the applicant be placed in the appeal.

5. Civil Application is disposed of.

[SUNIL K. KOTWAL, J.]

dbm