

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

**939 CIVIL APPLICATION NO.3706 OF 2018
IN FAST/42178/2017 WITH CA/3707/2018 IN FAST/42176/2017**

**BALAPRASAD SHIVNARAYAN ZANWAR
VERSUS
STATE OF MAHARASHTRA THR THE COLLECTOR, JALNA AND
OTHERS**

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Advocate for Applicant : Mr. G. C. Navandar
AGP for Respondent No.1- State: Mr. R. B. Bagul
Advocate for Respondent No.3 : Mr. H. T. Gaikwad

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**CORAM : SUNIL K. KOTWAL, J.
DATE : DECEMBER 12, 2018**

PER COURT

1. Heard learned counsel for the applicants, A.G.P. for respondent No.1 and learned counsel for respondent No.3. Learned counsel for respondent No.2 is absent. For condonation of delay, the applicants have assigned reason of poverty. According to the applicants due to drought in their area for last five years, they could not collect money even to pay the court fees. Learned counsel for the applicants has also drawn my attention towards order passed by this Court in Civil Application No.1769 of 2017 and submits that in connected matters delay is already condoned subject to undertaking of the applicants that they would waive the interest of compensation amount for delayed period.

2. Perused the order passed by this Court in connected matters. So also the reason assigned by the applicants for condonation of delay, appears to be acceptable. Therefore, delay of 3069 days in both the Civil Applications is condoned.
3. Applicants shall file their written undertaking in FAST No. 42178 of 2017 and FAST No. 42176 of 2017 regarding waiver of the interest for the delayed period of 3069 days.
4. Civil Applications Nos. 3706 of 2018 and 3707 of 2018 are allowed and disposed of.
5. FAST No. 42178 of 2017 and FAST No.42176 of 2017 be registered.
6. Issue notices to the respondents. AGP waives service of notice for respondent No.1. Learned counsel for Mr. H. T. Gaikwad waives service of notice for respondent No.3.
7. Record and proceeding be called.
8. Stand over to 01.03.2019

[SUNIL K. KOTWAL, J.]

vsm/-