

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CAF NO.944/2018 IN FA ST.NO.7374/2016

Nitin Prabhakar Gujar

..VS..

The State of Mah., thr. Collector, Yavatmal, District Yavatmal and ors

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri Anand Deshpande, Counsel for the applicant.
Shri Raibhandare, Counsel for non-applicant No.3.
Shri I.J. Damle, AGP for non-applicant Nos.1 and 2.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 25, 2018.

1. Heard learned counsel Shri Anand Deshpande for the applicant.
2. This is an application for condonation of delay in preferring an appeal.
3. The applicant is original claimant whose land is acquired by the State for and on behalf of the VIDC. The applicant being aggrieved by the compensation granted to him in his favour by the Reference Court has filed appeal. However, there is a delay in lodging the first appeal. Though the delay is enormous, learned counsel Raibhandare for non-applicant No.3 and learned Assistant Government Pleader Shri I.J. Damle for non-applicant Nos.1 and 2 fairly submit that they have no objection for condoning the delay as looking to the averments made in the application that the applicant could not approach to this Court due to poverty only. Their fairness is appreciated by the Court.

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4. For the reasons stated in the application, the application is allowed. Delay in lodging the appeal is hereby condoned. Office to register the first appeal.

5. The civil application is disposed of accordingly.

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1. Heard.

2. ADMIT.

3. The record and proceedings be called for.

4. Learned counsel Shri Raibhandare waives service for respondent No.3 and learned Assistant Government Pleader Shri I.J. Damle waives service for respondent Nos.1 and 2.

JUDGE

!! BRW !!