

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

CAF NO.304/2018 IN FA ST.NO.10873/2017

Manoj s/o Vasant Rao Shinde

..VS..

State of Mah., thr. Collector, 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 V.N. Patre, Counsel for the applicant.
Shri M.A. Kadu, Counsel for non-applicant No.3.
Shri S.D. Sirpurkar, AGP for non-applicant Nos.1 and 2.

CORAM : V.M. DESHPANDE, J.

DATED : OCTOBER 11, 2018.

1. This is an application for condonation of delay in preferring an appeal challenging judgment and decree dated 8.9.2015 passed by learned Civil Judge Senior Division, Darwha in LAC No.2079/2004.
2. According to learned counsel Shri V.N. Patre for the applicant, learned Judge of the Court below awarded inadequate compensation.
3. Learned counsel Shri M.A. Kadu waives service for non-applicant No.3 and learned Assistant Government Pleader Shri S.D. Sirpurkar waives service for non-applicant Nos.1 ad 2.
4. The present application is taken up for consideration forthwith.
5. Heard learned counsel for the parties.
6. Learned counsel Shri V.N. Patre for the applicant submits that due to paucity of funds, the applicant could not arrange the Court Fees and, therefore, there is a delay.
7. This Court is of the firmed view that poverty should not be an obstacle for seeking justice from this Court.

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8. Hence, for the reasons stated in the application, the application is allowed. Delay is hereby condoned. Office to register the first appeal. The civil application stands disposed of accordingly.

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1. Heard learned counsel Shri V.N. Patre for the appellant.

ADMIT. The record and proceedings be called for.

2. Learned counsel Shri M.A. Kadu waives service for respondent No.3 and learned Assistant Government Pleader waives service for respondent Nos.1 and 2.

JUDGE

!! BRW !!

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