

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

CIVIL APPLICATION (CAF) NO.928/2018 IN FA ST.NO.20489/2016

Maroti Masaji Dantalwad

..VS..

Maharashtra State, 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 V.N. Patre, Counsel for the applicant.
Shri M.A. Kadu, Counsel for non-applicant Nos.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 V.N. Patre for the applicant, learned counsel Shri M.A. Kadu for non-applicant No.3, and learned Assistant Government Pleader Shri I.J. Damle for non-applicant Nos.1 and 2.

2. The applicant has filed an appeal before this Court. However, there is a delay of 1767 days in filing the appeal. Therefore, the present application for condonation of delay is filed.

3. After hearing learned counsel for the parties to the application and noting undertaking of the applicant through his counsel that the applicant will not claim interest for delayed period if the first appeal is allowed. 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.
2. ADMIT.
3. The record and proceedings be called for.
4. Learned counsel Shri M.A. Kadu waives service for non-applicant No.3 and learned Assistant Government Pleader Shri I.J. Damle waives service for respondent Nos.1 and 2/State.
5. It is made clear that at the time of admission the appellant through his counsel has given an undertaking that in case the appeal is allowed he will not claim the interest during delayed period for lodging the appeal.

JUDGE

!! BRW !!

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