

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

**1061 CIVIL APPLICATION NO.3641 OF 2019
IN FAST/3154/2019**

**BHAURAO SAMBHAJI ANAPT (DID) THR LRS SUBHASH AND ANR
VERSUS
THE STATE OF MAHARASHTRA AD ORS**

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Advocate for Applicants : Ms. Jagtap Sneha A
AGP for Respondents/State : Mr. A.M. Phule

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 26th JULY 2019

ORDER :

. Present application has been filed by the original claimants for getting the delay of 1729 days condoned in filing first appeal. Learned AGP representing respondent Nos.1 and 2 is strongly objecting to the application on the ground that the delay is huge and inordinate. Respondent No.3 though served, none appears.

3. Taking into consideration the fact that the present applicants are the legal heirs of original claimant, coming from rural area, agriculturist, so also there is evidence on record to show that there was medical ground for respondent No.2, delay stands condoned.

4. Civil Application stands allowed and disposed of accordingly.

5. It is clarified that the applicants will not be entitled to get interest of 1729 days in case of success to their appeal.

6. Registry to verify and register the first appeal and place it for further consideration on 10.10.2019.

(Smt. Vibha Kankanwadi, J.)

Shubham/