

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1602 OF 2019
IN
FIRST APPEAL (ST) NO. 34639 OF 2018**

Shantaram Chahu Gharat ..Applicant

v/s.

The State of Maharashtra ..Respondents

Mr. S.S. Punde for the Applicant.

Mr. Y.Y.Dabke, AGP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : 12th JUNE, 2019.**

P.C.

1. By this application, the applicant has sought to condone the delay of 266 days in filing the first appeal.
2. Heard the learned Counsel for the respective parties. I have perused the records. The Reference under Section 28A(3) being LAR/240 of 2007 was decided by judgment dated 28th September, 2010. It is stated that the compensation as per the said Award was deposited only in the year 2018. The applicant has stated that he is

a poor agriculturist, and that he was unable to prefer appeal within time due to financial constraints. The application does not lack bonafides.

3. For the reasons stated in the application, which in my considered view constitute sufficient grounds, delay is condoned.

4. Appeal be registered. Learned AGP Mr. Dabke waives service on behalf of the respondent. The learned Counsel for the appellant undertakes to furnish copy of the appeal memo to the learned AGP within a week.

5. Appeal be listed for admission on 25th June, 2019.

(ANUJA PRABHUDESSAI, J.)