

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

**CIVIL APPLICATION NO. 14489 OF 2019
IN
FIRST APPEAL (ST) NO. 32496 OF 2019**

Rajshekhar Tamanappa Utge ..APPLICANT
VERSUS
State of Maharashtra and Others ..RESPONDENTS

**WITH
CIVIL APPLICATION NO. 14490 OF 2019
IN
FIRST APPEAL (ST) NO. 32499 OF 2019**

Shrikant Tamanappa Utge and Another ..APPLICANTS
VERSUS
State of Maharashtra and Another ..RESPONDENTS

....
Mr. S.S. Halkude, Advocate for applicants
Mr. G.O. Wattamwar, A.G.P. for respondent - State
....

**CORAM : SUNIL P. DESHMUKH AND
R.G. AVACHAT, JJ.
DATED : 31st JANUARY, 2020**

PER COURT :

Heard learned Counsel for appearing parties. Learned Counsel for the applicants refers to the contents of the applications and submits that it is under the events referred to, delay has occurred.

2. Learned A.G.P. purports to resist. He is not in a position to challenge the veracity of the contents.

3. In the circumstances, following decisions of the Supreme Court in the cases of “*Collector, Land Acquisition, Anantnag V/s. Ms. Katiji and Others*” reported in *AIR 1987 SC 1353*; “*Esha Bhattacharjee V/s. Managing Committee of Raghunathpur Nafar Academy and Others*” reported in *(2013) 12 Supreme Court Cases 649*, and “*Dhiraj Singh (Dead) Through Legal Representative and Others V/s. State of Haryana and Others*” reported in *(2014) 14 Supreme Court Cases 127*, we consider it expedient to condone the delay.

4. Accordingly, delay is condoned. Both the applications are allowed in terms of prayer clause “(B)”, subject to, for the period of delay the claimants would not be able to get interest. The claimants shall file an undertaking in this Court to that effect within a period of four weeks from today.

5. Both the civil applications are disposed of.

(R.G. AVACHAT, J.)

(SUNIL P. DESHMUKH, J.)

SSD