

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

Civil Application [CAF] No.4474 of 2019
in
First Appeal St.No.12846 of 2019

Rajesh Vithoba Didhpaye & another
vs.

The State of Maharashtra, through Collector, Wardha & others

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Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

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Court's or Judge's Orders

Shri C.R. Najbile, Advocate for the Applicants/Appellants.
Shri M.A. Kadu, A.G.P. for Respondent Nos.1 & 2.
Shri S.G. Jagtap, Advocate for Respondent No.3.

CORAM : S.M. MODAK, J.
DATE : 15th DECEMBER, 2020

Heard.

Though the claimants have accepted the compensation, they could not start with their livelihood i.e. how they could not prefer the appeal in time. There is a delay of 1277 days. The prayer is opposed on behalf of the respondents. The reasons are convincing. It is also better to decide the matter on merits. Hence, the following order :

Delay of 1277 days caused in preferring the appeal is condoned subject to waiver of interest for that period. The appeal be registered.

The application is allowed and disposed of accordingly.

First Appeal St. No.12846/2019 :

Heard.

Issue notice to the respondents.

Shri Kadu, learned A.G.P. waives notice for respondent Nos.1 & 2 and Shri Jagtap, learned Advocate waives for respondent No.3.

Call for record and proceedings.

Paper book be filed within a period of one year.

The appellants are directed to supply copies to all the respondents.

JUDGE

**sandesh*