

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

CIVIL APPLICATION (CAF) NO. 2812/2019 IN
FIRST APPEAL (ST) NO. 5096/2019

Bhaskarrao Chinchmalpure

-VERSUS-

The State of Maharashtra & ors.

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

Court's or Judge's Orders

Shri S. S. Shingane, Advocate for appellant/applicant.
Ms. T. Udeshi, AGP for respondent Nos. 1 to 3

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATE : 20.01.2021.

By this application, the applicant has sought for condonation of delay of 2320 days in challenging the judgment dated 24.07.2012 passed in Land Acquisition Case No. 210/2008.

2. Learned AGP for the respondents has opposed the application on the ground that no sufficient ground has been made out to condone the delay.

3. I have perused the records and considered

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the submissions advanced by the learned counsel for the respective parties. The applicant is an agriculturist, whose land has been acquired by the Government. It is stated that he was unable to file appeal within the limitation period due to paucity of funds for payment of court fees.

4. The reasons stated in the application, in my considered view constitute sufficient grounds for condonation of delay. In the interest of justice, the delay is condoned. It is made clear that the applicant shall not be entitled for the interest for delayed period i.e. from the date of impugned judgment and award till the date of filing of the application.

5. Application stands disposed of.

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6. Heard.

7. **Admit.**

8. Learned AGP waives service of notice on behalf of respondent Nos. 1 to 3.

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9. Call for record and proceedings.
10. Paper book be filed within a period of six weeks.

(SMT. ANUJA PRABHUDESSAI, J.)

Gohane.