

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

**CAF NO.1052/2020 IN FA ST.NO.21301/2019
Uttamchand Phulchand Jain**

..VS..

The State of Mah., thr.the Collector, Yavatmal and ors

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

Court's or Judge's Order

.....
Shri N.B.Nakshane, Adv. h/f Shri R.J.Shinde, Counsel for
the Applicant.

Ms T.H.Udeshi, AGP for Non-applicant Nos.1 and 2.

None for Non-applicant No.3.

CORAM : V.M.DESHPANDE, J.

DATED : DECEMBER 17, 2021

1. Heard.

2. This is an application for condonation of delay in preferring a first appeal. The application is filed by original claimant who is dissatisfied with grant of compensation in his favour and, therefore, he preferred an appeal. However, the appeal is barred by limitation. There is delay of 292 days. Hence, the present application is filed.

3. On 15.11.2021, this Court issued Notices to non-applicants. In pursuance to said Notices, learned Assistant Government Pleader Ms T.H.Udeshi appears for non-applicant Nos.1 and 2/State. Non-applicant No.3 is absent. No reply is filed by any of non-applicants.

4. After hearing learned counsel for the applicant and learned Assistant Government Pleader for the State and after perusing statement of facts made on affidavit, which

remained uncontroverted, I am of view that the applicant has made out a case for condonation of delay.

5. Hence, the civil application is allowed and disposed of. The delay stands condoned. Office is directed to register the appeal.

6. It is made clear that the applicant will not be entitled for interest for delayed period.

JUDGE

!! BRW !! Digitally
signed by
BHUSHAN
RANA
WANKHEDE RANA
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