

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

CAF NO.2197/2019 IN FA ST.NO.23110/2018
Narayan s/o Maroti Pawar (since dead) thr.his LRs Smt.Dhrupatabai wd/o
Narayan Pawar and ors
..VS..
The State of Mah., thr.Collector, District 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 V.N.Patre, counsel for Applicants.
Mrs.M.H.Deshmukh, AGP for NA Nos.1 & 3.

CORAM : V.M.DESHPANDE, J.
DATED : DECEMBER 17, 2021

1. Heard learned counsel Shri V.N.Patre for applicants.
2. This is an application for condonation of delay. Applicants intended to file a first appeal. However, the appeal is barred by limitation by 8945 days.
3. On 4.12.2019, this Court (Coram : Milind N.Jadhav, J.) issued Notices on this application. In pursuance to said Notices, learned Assistant Government Pleader appeared for non-applicant Nos.1 and 3. Though non-applicant No.2 is served, nobody has put appearance. Even, the State has not filed its reply. Statement of facts made on affidavit has remained uncontroverted.
4. Learned counsel for applicants submits that in connected matter, filed by Kumari Kalpana d/o Narayan Pawar @ Sau.Kalpana w/o Babusing Rathod, who is also one of applicants in this application, this Court (Coram :

M.G.Giratkar, J.) on 28.1.2020 has condoned delay of 7883 days.

5. In view of uncontroverted statement of facts made on affidavit and since in the connected matter this Court has already taken cognizance by condoning the delay, in my view, applicants have made out a case for condonation of delay.

6. In this view of the matter, the civil application is **allowed** and **disposed** of. The delay stands condoned. Office is directed to register the appeal.

7. It is made clear that applicants will not be entitled to claim interest for delayed period.

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JUDGE