

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

**938 CIVIL APPLICATION NO.1824 OF 2022
IN FAST/1487/2021**

**VITHAL MAHADAN LAWATE (DIED) THROUGH LRS
SHANTABAI AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. V.V. Ingle, Advocate for the applicants.
Mr. S.R. Yadav-Lonikar, A.G.P. for respondent No.1.
Mr. D.S. Manoorkar, Advocate for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 23.11.2022.

ORDER:-

1. The learned Counsel Mr. D.S. Manoorkar causes appearance on behalf of respondent No.2 - Acquiring Body.
2. Heard rival submissions. The applicants are seeking condonation of delay of 1393 days in filing the appeal, which appears to be caused due to their financial crisis. The learned A.G.P. as well as learned Counsel for Acquiring Body strongly opposed the application on the ground that delay is not properly explained.
3. However, considering the statutory right of the applicants, the application is allowed and the delay of 1393 days stands condoned subject to condition that the applicants shall not claim any interest for the aforesaid delay period.

4. The appeal be placed for admission after removal of office objections.
5. The Civil Application is disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)