

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

**CIVIL APPLICATION NO.2058 OF 2022
IN FAST/2140/2022**

KAMALBAI W/O GULABRAO UBALE ..APPLICANT

VERSUS

THE STATE OF MAHARASHTRA THR COLLECTOR, JALNA AND
ORS ..RESPONDENTS

...

Mr. Bhushan S. Dhawale, Advocate for the Applicant.
Mr. P. M. Kulkarni, AGP for Respondents-State.
Mr. S. G. Sangle, Advocate for Respondent No.3.

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CORAM : S. G. DIGE, J.

DATED : 22nd AUGUST, 2022.

PER COURT:-

1. Heard learned counsel for the applicant, learned A.G.P. for respondent-State and Mr. Sangle, learned counsel for respondent no.3.

2. On 07.07.2022 this Court has observed in the order that, though respondent no.3 is served none present for respondent no.3. On that day Mr. Surwase, who was panel Advocate on respondent no.3 submitted that, he will inform the office about pendency of this application. Hence, requested for adjournment.

3. Today, when the matter was called out, none present for respondent no.3. Incidentally, Mr. Sangle, learned counsel who is on panel of

respondent no.3 present in the Court. This Court requested him about appearance in the matter. Upon request Mr. Sangle, learned counsel accepts notice for respondent no.3.

4. I have heard all learned counsel.

5. Considering the submissions of all learned Counsel and reasons mentioned in the application, the application is allowed. The delay of 1139 days for filing appeal is condoned.

6. The applicant shall not claim any interest and statutory benefits for the delayed period and shall file undertaking in that regard.

7. Appeal be registered subject to removal of office objections, if any.

8. Civil application is disposed of.

(S. G. DIGE)
JUDGE