

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

**CIVIL APPLICATION NO. 2652 OF 2017 IN
FIRST APPEAL ST. NO. 2882 OF 2017**

Laxman Rukhmaji Motade

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. Syed Parvez Syed Gani, advocate for the Applicants
Mr. P. N. Kutti, AGP for Respondents No. 1 & 3.

CORAM : SANDIPKUMAR C. MORE, JJ.

DATE : 28th July, 2022.

PC :

Heard learned Counsel for the applicant as well as learned AGP for Respondents No. 1 & 3. Respondent No.2 – acquiring body, though served but remained absent.

2 This is an application for condonation of delay of 2168 days in filing the appeal. Though the delay seems to be inordinate but the earlier Bench, vide order dated 01.09.2021 in Civil Application No.2660 of 2017 in First Appeal St. No. 2892 of 2017, filed by the applicant no.1 in connected C. A. No. 2653/2017, has condoned delay of 2022 days by considering the similar grounds as

mentioned in this application.

3 Hence, for the reasons stated in the application and in view of the earlier above mentioned order, Civil Application is hereby allowed and delay of 2168 days in filing the first appeal is condoned subject to the condition that the applicant shall not be entitled to claim the interest for the aforesaid period of delay.

4 The appeal be placed for admission, after removal of office objections, if any.

(SANDIPKUMAR C. MORE)
JUDGE

adb