

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

**CIVIL APPLICATION NO. 2653 OF 2017 IN
FIRST APPEAL ST. NO. 2887 OF 2017**

Shivaji s/o Maruti Sirsat & another Applicants

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 applicants 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 present applicant no.1, 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 applicants 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