

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

**939 CIVIL APPLICATION NO.11815 OF 2019
IN FAST/3227/2019**

**KUSHIVARTABAI LIMBAJI GADEKAR (DIED) THROUGH LRS
EKNATH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. V.P. Patil, Advocate for the applicants.

Mr. P.N. Kutti, A.G.P. for respondent Nos. 1 to 3.

Mr. S.B. Deshpande, Advocate for respondent No.4.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 25.08.2022.

ORDER:-

1. Heard the rival submissions. The applicants – original claimants are seeking condonation of delay of 924 days in filing the first appeal on the ground of their poor financial condition. The learned Counsel appearing for respondent No.4 - Acquiring Body strongly opposed the application. However, in view of the reasons stated in the application and considering the statutory right of the applicants, the application is allowed and the delay of 924 days stands condoned, subject to condition that the applicants shall not claim any interest for the aforesaid period of delay.

2. The Civil Application accordingly stands disposed of.

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

(SANDIPKUMAR C. MORE, J.)