

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

**939 CIVIL APPLICATION NO.9501 OF 2019
IN FAST/4792/2019**

**DEORAO SHESHRAO ADHAV AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. Arun Koralkar, Advocate for the applicants.

Mr. A.A. Jagatkar, A.G.P. for respondent Nos.1 and 2.

Mr. R.R. Imle, Advocate for respondent No. 3.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 27.07.2022.

ORDER:-

1. Heard learned Counsel for the applicants as well as learned A.G.P. and learned Counsel for contesting respondent No. 3 – Acquiring Body.

2. Though the application is strongly opposed by the learned Counsel for the Acquiring Body on the ground of inordinate delay, but it appears that that after acquisition of agricultural land and house of the applicants, they had shifted to Pune, and therefore, could not exercise their statutory right of filing appeal. Therefore, in view of the reasons mentioned in the application, the application is allowed and the delay of 1314 days in filing the appeal, stands condoned subject to

condition that the applicants shall not claim any interest for the said period of delay.

3. The Civil Application is disposed of accordingly.

4. First Appeal (St) No. 4792 of 2019 be placed for admission after removal of office objections, if any.

(SANDIPKUMAR C. MORE, J.)