

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

**47 CIVIL APPLICATION NO.14029 OF 2018
IN FAST/11313/2018**

**CHANDRAKANT JAGANNATH CHAUDHARI AND ANOTHER
VERSUS
SPECIAL SUB DIV. OFFICER, BHUSAWAL AND ANOTHER**

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Mr. B.K. Pawar, Advocate holding for Mr. Ajit Kale, Advocate for the applicants.

Mr. S.N. Kendre, A.G.P. for respondent No.1.

Mr. Nirmal Dayama, Advocate for respondent No.2.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 05.12.2022.

ORDER:-

1. The learned Counsel for respondent No.2 - Acquiring Body tendered across the bar an affidavit-in-reply. The same is taken on record. Copy is supplied to other side.

2. Heard rival submissions. The applicants are seeking condonation of delay of 586 days in filing the appeal which appears to be caused due to their financial crisis. The learned A.G.P. strongly opposed the application whereas the learned Counsel for the Acquiring Body also resisted the application by filing reply. According to them, the delay is inordinate and there is also circulation delay.

3. However, considering the statutory right of the applicants, the application is allowed and the delay of 586 days stands condoned subject to condition that the applicants shall not claim any interest for the aforesaid period of delay and also for the delay in circulating the matter belatedly.

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

5. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)