

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

**CIVIL APPLICATION NO. 10671 OF 2019 IN
FIRST APPEAL ST. NO. 11271 OF 2019**

Girmaji s/o Bapurao Banbare

Applicant

Versus

The State of Maharashtra & others

Respondents

Mr. G. N. Chincholkar, advocate for the Applicant
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. The acquiring body – Respondent No.2, despite service of notice, remained absent.

2 The applicant/appellant i.e. original claimant is seeking condonation of delay of 1229 days in filing this First Appeal. According to him, he could not file the appeal within the limitation period as his economic condition was critical. Only after borrowing certain amount from the relatives, he

could approach this Court for filing the appeal. The learned AGP has strongly objected. However, the acquiring body, who is the contesting respondent, remained absent.

3 Hence, for the reasons stated in the application and considering the statutory right of the applicant, the Civil Application is hereby allowed and delay of 1229 days is condoned subject to the condition that the applicant shall not claim any interest for the aforesaid period of delay.

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

(SANDIPKUMAR C. MORE)
JUDGE

adb