

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

**CIVIL APPLICATION NO.9098 OF 2021 IN
FIRST APPEAL ST. NO. 22257 OF 2021**

Subrao s/o Nivrutti Kapse & others

Applicants

Versus

The State of Maharashtra & others

Respondents

Mr. K. B. Jadhav, advocate for the Applicants

Mr. A. A. Jagatkar, AGP for Respondents No.1 & 2.

CORAM : SANDIPKUMAR C. MORE J.

DATE : 15th September, 2022.

PC :

Heard rival submissions.

The applicants are seeking condonation of delay of 2795 days, which appears to be caused due to their poor financial condition.

The learned AGP strongly opposed the application on the ground that the delay is not properly explained. Respondent No.3-acquiring body, though served, but failed to appear.

However, considering the statutory right of the applicants and for the reasons mentioned in the application, the delay of 2795 days stands condoned subject to the condition that the applicants shall not claim any interest for the aforesaid period

of delay.

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

Civil Application is accordingly disposed of.

(SANDIPKUMAR C. MORE)
JUDGE

adb