

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

902 CIVIL APPLICATION NO.9782 OF 2021 IN FAST/22254/2021
WITH
CIVIL APPLICATION NO. 9785 OF 2021 IN FAST/22410/2021
WITH
CIVIL APPLICATION NO. 9786 OF 2021 IN FAST/22425/2021
WITH
CIVIL APPLICATION NO. 9787 OF 2021 IN FAST/22423/2021
WITH
CIVIL APPLICATION NO. 9784 OF 2021 IN FAST/22430/2021
WITH
CIVIL APPLICATION NO. 9783 OF 2021 IN FAST/22427/2021

MADHUKAR PRABHAKAR KAPSE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. P. B. Rakhunde
AGP for Respondent Nos.1 & 2: Mr. S. R. Yadav
Advocate for Respondent No.3 : Mr. R. B. Deshpande

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 29/07/2022.

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P. C. :

1. All the applicants, who are the original claimants in the applications, are seeking condonation of delay of 2789 days for preferring first appeal.
2. Heard the learned counsel for the applicants, respondent No.3 - Acquiring Body and the learned AGP.
3. The learned counsel for the applicants produced order dated 20 August, 2021 and claims that under this order the earlier Bench

has condoned the delay in similar matters arising out of same project. He claims that same order may be passed in these applications.

4. The learned counsel for respondent No.3-Acquiring Body submitted that the Acquiring Body has also preferred appeals against the impugned judgment in these appeals separately and the applicants instead of filing cross-objections therein, has preferred these appeals. He further claims that the learned counsel appearing for these applicants, has also appeared in those appeals. The learned AGP appears to be formal party.

5. Thus, in view of the earlier order dated 20/08/2021 in similar matters and for the reasons stated in these applications, all the civil applications are hereby allowed and the delay of 2789 days in all matters is condoned subject to the condition that all the applicants shall not claim any interest for the aforesaid delay period.

6. The appeals be placed for admission after removal office objections, if any.

7. All the civil applications are disposed of accordingly.

(SANDIPKUMAR C. MORE, J.)