

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

**938 CIVIL APPLICATION NO.3053 OF 2022
IN FAST/34419/2021**

**SUNDAR S/O DNYANDEO GHOLVE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
BEED AND ANOTHER**

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Mr. D.A. Bide, Advocate for the applicants.
Mr. P.N. Kutti, A.G.P. for respondent No.1.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 20.09.2022.

ORDER:-

1. Heard the rival submissions. The applicant is seeking condonation of delay of 1589 days in filing the first appeal. The delay appears to be caused due to his poor financial condition. The learned A.G.P. strongly opposed the application on the ground that delay is not properly explained. The Acquiring Body, though served, remained absent.

2. However, considering the statutory right of the applicant and for the reasons stated in the application, the application is allowed and the delay of 1589 days in filing first appeal, stands condoned, subject to condition that the applicant shall not claim any interest for the period of aforesaid delay.

3. The application is accordingly disposed of.
4. The First Appeal be placed for admission after removal of office objections, if any.

(SANDIPKUMAR C. MORE, J.)