

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

**46 CIVIL APPLICATION NO.3152 OF 2018
IN FAST/36844/2017**

**DASHRATH BANDU THOMBRE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...
Advocate for Applicants : Mr. Patunkar Swapnil S.
and Mr. S.D. Deshpande
AGP for Respondents – State : Mr. P. N. Kutti
Advocate for Respondent No. 3 : Mr. S. C. Arora
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CORAM : SANDIPKUMAR C. MORE, J.

DATE : 22.08.2022

PER COURT :

. The learned counsel Mr. S. C. Arora waives service for respondent Nos. 3 - acquiring body.

2. The applicant -appellant is seeking condonation of delay of 254 days in filing first appeal against award dated 06.12.2016 in L.A.R. No. 513 of 2011. The applicant claims that since he became landless person after the acquisition his financial condition was poor and, therefore, he could not file the appeal within limitation.

3. The learned AGP for respondent Nos. 1 and 2 as well as learned counsel for respondent No. 3 - acquiring body strongly opposed the application.

4. However, for the reasons stated in the application, the delay of 254 days stands condoned subject to condition that applicant shall not claim any interest for the aforesaid period of delay and the period spent in taking belated circulation.

5. Accordingly application stands disposed of.

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

(SANDIPKUMAR C. MORE)
JUDGE

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shp/-