

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

936 CIVIL APPLICATION NO.547 OF 2018
IN FAST/37441/2017

VINAYAK SAKHARAM DHAVLE AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS

...
Advocate for Applicants : Mr. Kakade Deepak M.
AGP for Respondents/State : Mr. A.R. Kale
...

CORAM : Y.G. KHOBRAGADE, J.
DATE : 11th November, 2022

PC.:-

1. Heard advocate Mr. Kakade learned counsel appearing for the applicants and Mr. Kale learned AGP for non-applicant nos.1 and 2.
2. By way of present application under Section 5 of the Limitation Act the applicant prayed for condonation of delay of 290 days caused while lodging appeal against judgment and award dated 26.10.2016 passed in LAR No.08/2013 by the learned Jt. C.J.S.D., Parbhani. The SLAO granted very meager amount for the acquisition. The applicants are Agriculturist and there is no other source of income. They were facing financial crisis due to which they could not raise the amount for Court fees and lodge the appeal in time. The applicants are having good case on merit and as such the non-applicant

nos.1 and 2 has not seriously objected for condonation of delay. Therefore, considering the nature of claim, it would be just and proper to condone the delay of 290 days caused while lodging the appeal. Accordingly, I proceed to pass the following order:

ORDER

- I) The application for condonation of delay is hereby allowed.
- II) The delay of 290 days in filing the appeal is hereby condoned.
- III) The Registry is directed to register the first appeal and place it before the Court for further action.

[Y.G. KHOBRADE, J.]