

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO. 1391 OF 2018
IN
FIRST APPEAL (ST) NO. 23649 OF 2016**

The State of Maharashtra

(through the Special Land Acquisition

Officer No.19, Satara)

...Applicant

Vs.

Shri. Bhiku Gangaram Yadav & Anr.

...Respondents

.....

Ms. Tanaya Goswami, A.G.P. for the Applicant / State.

.....

CORAM : SHRIKANT D. KULKARNI, J.

DATE : 21 JUNE, 2022

P.C.

. It is an application for condonation of delay moved by the Applicant / State by taking aid of Section 5 of the Limitation Act, 1963.

2. Heard Ms. Tanaya Goswami, learned A.G.P. for the Applicant / State. Respondent Nos.1 and 2 though duly served with notices, remained absent when the matter is called out.

3. On perusing the record, it seems that there is delay of 1 year and 221 days in preferring the appeal. On the last occasion i.e. on 18 September 2021, when the matter was listed, both the Respondents were marked absent. As such, there is no propriety to keep this application for condonation of delay pending. For the reasons stated in the application for condonation of delay in para Nos.3 to 5, the delay needs to be condoned in the interest of justice.

ORDER

(i) The application for condonation of delay is hereby allowed in terms of prayer clause 6(b).

(ii) The Registry is directed to make scrutiny of the appeal as per procedure and thereafter, it be numbered and placed before the concerned Court for admission.

(iii) The civil application is accordingly disposed of.

(SHRIKANT D. KULKARNI, J.)