

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

CIVIL APPLICATION NO.732 OF 2019

IN

FIRST APPEAL (STAMP) NO.22448 OF 2017

The State of Maharashtra and Anr. ...Applicants

Versus

Prafula Dattatrey Divekar and Ors. ...Respondents

....

Mr. A.R. Patil, AGP for the Applicant-State.

CORAM : ANIL S. KILOR, J.

DATED: 28th JANUARY, 2022.

P.C.:-

1. Heard learned AGP Shri Patil for the State. None for the Respondents though served.

2. Shri Patil, the learned AGP submits that there is delay of 108 days in filing first appeal in challenging the Judgment and Award dt.15/09/2016 passed by the learned Joint Civil Judge Senior Division, Alibag in Land Acquisition Reference No.40 of 2009.

3. It is submitted that the sufficient cause is shown in the application particularly in Paragraph-2 onwards which is sufficient for condonation of delay. It is further submitted that delay is not intentional

but bonafide.

4. After going through the application, more particularly, the reasons stated in Paragraph-2 onwards in the application and in absence of any rebuttal to the said facts, I find that the reasons given in the application are sufficient for condonation of delay. Accordingly, I pass the following order:-

ORDER

i) The Application for condonation of delay is allowed.

ii) The delay caused in filing First Appeal is condoned.

The office is requested to register the First Appeal and place the same before the Court for admission.

(ANIL S. KILOR, J.)

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