

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAF) NO. 2196 OF 2021
IN
FIRST APPEAL (ST.) NO. 7686 OF 2020

Vijay S/o. Rambhau Dhanke

...VERSUS...

The Collector, Buldana and others

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Shri S.D. Dharaskar, Advocate h/f. Shri K.S.Narwade, Advocate for appellant.
Ms. T.H.Udeshi, Asst. G.P. for respondent nos. 1 and 2.

CORAM : SMT. M. S. JAWALKAR,J.

DATE : 24th AUGUST, 2022.

The present application is filed for condonation of delay in filing First Appeal challenging the order dated 30/07/2015 passed by learned Civil Judge, Senior Division, Link Court, Malkapur, District Buldana in L.A.C. No. 193/2012.

2. The delay is of 1758 days and only ground for delay is financial difficulties.

3. The learned counsel appearing for the appellant submits that the principal amount is received at belated stage. The learned counsel also pointed out that the appellant has waived his right on the interest for the delayed period.

4. As such, I see no reason not to allow the present application. Accordingly, the present application is allowed.

5. The delay in filing First Appeal is hereby condoned.

6. Registry is directed to register the First Appeal.
7. However, the appellant will not be entitled for any interest on enhanced amount for the delayed period.
8. The application stands disposed of.

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After matter is register, issue notice to the respondents, returnable within three weeks.

2. Ms. T.H.Udeshi, learned Asst. Government Pleader waives notice for respondent nos. 1 and 2.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar