

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

**948 CIVIL APPLICATION NO.3624 OF 2023
IN FAST/217/2023**

**MAHEBUB SHAH ABDUL SHAH DIED THR LRS APSANABI M SHAH
AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR
AURANGABAD AND OTHERS**

...
Advocate for Applicants : Mr. Hemraj P. Kshirsagar
AGP for Respondent – State : Mr. K. B. Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 30.08.2023

PER COURT :

1. This application is for condonation of delay of 284 days in filing the First Appeal.
2. Heard learned counsel for the parties.
3. The learned counsel for the applicants submits that the delay (284) is caused on account of land compulsorily acquired by the Government and their only source of income was from the land which was acquired. The amount accorded by the Reference Court is meager and that they would suffer an irreparable loss. He further submits that applicants are poor labourers and they have no source of income. They have also faced prevalent pandemic situation at the

point of time after the decision of the Reference Court, and they have obtained money from their friends and relatives.

4. Learned AGP for respondents-State opposes the application. Respondent Nos. 2 and 3 although served, but remained absent.

5. For the reasons stated in the application, Civil Application is allowed. The delay of (284) days in filing the First Appeal is condoned. Application is disposed off accordingly.

6. Appeal be registered after removal of office objections.

(ARUN R. PEDNEKER)
JUDGE

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shp/-