

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

**CIVIL APPLICATION NO.8883 OF 2019
IN RC/691/2014**

**TAYAPPA DEVIDAS TODKARI AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. A. M. Gholap, Advocate for applicants

Mrs. M. A. Deshpande, AGP for respondent No.1

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CORAM : S. G. CHAPALGAONKAR, J.

DATE : 23.02.2023

PER COURT :-

Heard.

2. The applicants are seeking to condone the delay of 135 days delay caused in filing appeal against the judgment and award dated 05.02.2023 passed by the Reference Court in L.A.R. No.118/2001.

3. The learned Advocate appearing for the applicants submits that the applicants have lost their land on account of acquisition, however, they have not been adequately compensated.

He submits that the delay caused in filing the appeal is unintentional. He relies upon the reasons stated in para Nos. 2 to 5 of the application and submits that the delay deserves to be condoned.

4. Learned AGP opposes to condone the delay on the ground that the delay has not been properly explained.

5. Considering the reasons incorporated in the application from para Nos. 2 to 5, the delay of 235 days caused in preferring the appeal, deserves to be condoned.

6. The civil application is allowed.

7. Appeal be registered.

[S. G. CHAPALGAONKAR, J.]

SMS