

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

905 CIVIL APPLICATION NO.6723 OF 2022
IN FAST/1137/2020 WITH CA/6719/2022 IN FAST/960/2020
WITH CA/6720/2022 IN FAST/1135/2020 WITH
CA/6722/2022 IN FAST/1142/2020 WITH CA/6721/2022 IN
FAST/1145/2020

DNYANOBA RAJARAM GHATUL
VERSUS
THE STATE OF MAHARASHTRA

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Mr. D.R. Jaybhar, Advocate for the applicants.
Mr. S.W. Mundhe, A.G.P. for respondent – State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 07.01.2023.

ORDER:-

1. Heard rival submissions. The respective applicants are seeking condonation of delay periods as mentioned in these respective applications in filing the appeals, which appears to be caused due to their poor financial condition. The learned A.G.P. strongly opposed the applications on the ground that the delay is not properly explained and it is huge delay which is more than 26 years.

2. The learned Counsel for the applicants placed reliance on the judgment of Hon'ble Apex Court in the case of *Ningappa Thotappa Angadi vs Special Land Acquisition Officer*

and another reported in **(2020) 19 SCC 599** wherein it was observed that the delay in land acquisition matters needs to be dealt liberally. It is also held that the consistency of the judicial determination must be equal in all cases and on the ground of parity. However, the delay in that matter was only of 2928 days. Admittedly, this Court has condoned huge delay periods by observing that the Hon'ble Apex Court in one such matter, had condoned delay upto 26 years, specially in land acquisition matters. However, the delay in all these matters is more than that and is of more than 10000 days. Therefore, I am not inclined to condone the same. As such, the applications stand rejected.

(SANDIPKUMAR C. MORE, J.)