

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO. 5609 OF 2020
IN FIRST APPEAL (ST) NO. 18837 OF 2015

PADMAKAR RAMRAO KULKARNI AND ANOTHER
VERSUS
THE EXECUTIVE ENGINEER M.S.E.D.C.L. OSMANABAD
AND ANOTHER

...
Mr. D.R. Markad h/f. Mr. D.R. Jayabhar – Advocate for
Applicants
Mr. S.S. Dande – AGP for Respondent No.2
....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 16th June, 2023

PER COURT :

1. Heard rival submissions.

2. The applicants are seeking condonation of delay of 2306 days, which appears to be caused due to their poor financial condition. The learned A.G.P. strongly opposed the application on the ground that, delay is not properly explained and there is also circulation delay. The acquiring body though served, but remained absent.

3. However, considering the statutory right of the applicants and for the reasons stated in the application, the application is allowed and the delay of 2306 days in this application stands condoned subject to condition that, the applicants shall not claim any interest for the period of aforesaid delay and also for delay in circulating the matters belatedly.

4. The appeal be placed for admission after removal of office objections, if any.

5. The application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE