

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

959 CIVIL APPLICATION NO.11602 OF 2022
IN FAST/6459/2022

BHIMRAO DATTU DUDHBATE (DIED) THR LRS KAUSALAYA AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, OSMANABAD AND ORS

...
Advocate for Applicants : Mr. V.V. Ingale
AGP for Respondent 1 : Mr. B.V. Virdhe
Advocate for Respondent 2 : Mr. H.U. Dhage
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CORAM : ARUN R. PEDNEKER, J.
DATED : 01/09/2023

PER COURT :

1. Heard the learned counsel for the respective parties.
2. The learned counsel for the appellants submits that in the identical facts, situation and arising out of the same acquisition proceedings, by order dated 19.12.2022 in Civil Application No. 11601/2022 in First Appeal St. No. 6486/2022, this Court has condoned the delay of 3442 days on the ground of financial crises.
3. In the instant case, compulsory acquisition has been made and there has been financial crises and the appellants were not able to file appeal in time.
4. In view of the order passed in above connected appeal arising out of the same acquisition, in the instant case the delay of 3354 days is condoned, subject to condition that the appellants shall not claim any interest for the aforesaid delay period. Civil application for condonation of delay is disposed of.

[ARUN R. PEDNEKER J.]

ssc/