



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

94 CIVIL APPLICATION NO.6264 OF 2023 IN FAST/7503/2023

**SHESHNARAYAN NANABHAU HOGADE
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE
COLLECTOR JALNA AND ORS**

...

Advocate for Applicant : Mr. Kakde D.M
AGP for Respondent Nos.1 and 2 : Mr. N.S. Tekale
Advocate for Respondent No.3 : Mr. A.R. Kale h/f Mr. R.J. Nirmal

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CORAM : ARUN R. PEDNEKER, J.

DATE : 04.12.2023

P.C. :

A] ORDER IN APPLICATION FOR DELAY

1] Heard the learned counsel for the parties.

2] The first appeal is filed along with application for condonation of delay of 4767 days.

3] Learned counsel for the applicant submits that the applicant is poor agriculturists and his land is compulsorily acquired. He further submits that the applicant would not claim interest and statutory benefit for the delayed period.

4] Learned counsel appearing for the acquiring body – respondent No.3 has strongly opposed the application for condonation of delay.

5] Having heard the learned counsel for the parties, I deem it appropriate to condone the delay of 4767 days in filing the first appeal, subject to condition that the applicant would not be entitled to interest and statutory benefit for the delayed period.

6] The civil application stands disposed of.

B] ORDER IN FIRST APPEAL

1] The first appeal is **admitted**.

2] On admission, the learned counsel / AGP waives service of notice for respective respondents.

3] Call R. & P.

4] Office objections, if any to be removed with a period of four (04) weeks from today.

[ARUN R. PEDNEKER]
JUDGE

S.P.Rane