

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

69 CIVIL APPLICATION NO.6498 OF 2023
IN FIRST APPEAL STAMP NO.9901 OF 2023
WITH
FIRST APPEAL STAMP NO.9901 OF 2023

VILAS GUNDERAO PURNE DIED THROUGH L.Rs.
RESHABAI VILAS PUNE & OTHERS
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER

...
Advocate for the applicants : Mr.V.V.Ingale
AGP for Respondent-State : Mr.N.T.Bhagat

...
CORAM : ARUN R. PEDNEKER, J.

DATE : 20.09.2023

P.C. :

A] ORDER IN CIVIL APPLICATION FOR DELAY

1] The present Civil Application is filed to condone the delay of 3615 days in filing the First Appeal.

2] The learned counsel for the applicants submits that in similarly placed matters arising out of the same acquisition project, similar delay has been condoned. The learned counsel further submits that the applicants – appellants are the poor agriculturists and the lands of the

applicants are compulsorily acquired. The applicants have no independent source of income.

3] In similarly placed matters arising out of the same acquisition project, this Court has condoned the delay. For the reasons stated in the Civil Application, the same is allowed. The delay of 3615 days is condoned subject to the condition that the applicants – appellants shall not claim any interest and statutory benefits for the delayed period and shall file undertaking in that regard. Appeal be registered. Civil Application is disposed of accordingly.

B] ORDER IN FIRST APPEAL

1] Heard. **Appeal is admitted.**

2] On admission, the learned AGP waives notice for the respondent nos.1 and 2.

3] Call R. & P.

**[ARUN R. PEDNEKER]
JUDGE**