

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

**959 CIVIL APPLICATION NO.5173 OF 2023  
IN FAST/10033/2023**

**RAMPRASAD NANABHAU RAJBINDE (DIED) THR LRS. GANESH  
RAMPRASAD RAJBINDE AND OTHERS  
VERSUS  
THE STATE OF MAHARASHTRA THR, COLLECTOR, JALNA AND  
OTHERS**

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Advocate for Applicants : Mr. A. H. Koralkar  
AGP for Respondent – State : Mr. K. N.Lokhande  
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**CORAM : ARUN R. PEDNEKER, J.**

**DATE : 30.08.2023**

**PER COURT :**

1. This application is for condonation of delay of 2802 days in filing the First Appeal.
2. Heard. Learned counsel for the applicants submits that the delay of (2802) days has occurred on account of time taken for collection of required funds, preparation of the matter and financial precarious condition of the applicants.
3. The learned counsel for the applicants further submits that delay caused on account of their land compulsorily acquired by the Government and their only source of income was from the land

which was acquired. The amount accorded by the Reference Court is meager and that they would suffer an irreparable loss.

4. Learned AGP for respondents-State opposes the application. Respondent No.3 though served, but remained absent.

5. For the reasons stated in the application, Civil Application is allowed and the delay of (2802) days in filing the First Appeal is condoned subject to the condition that the applicants would not be entitled for the interest of delayed period. Application is disposed off accordingly.

6. Appeal be registered after removal of office objections, if any.

**( ARUN R. PEDNEKER )**  
**JUDGE**

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shp/-