

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

**949 CIVIL APPLICATION NO.10126 OF 2021
IN FAST/12232/2021**

**KUNDLIK BHIMAJI CHAVAN (DIED) THROUGH LRS SANTOSH
KUNDLIK CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Mr. Vitthal Bhise, Advocate for the applicants.
Mr. B.V. Virdhe, A.G.P. for respondent Nos.1 and 2.

...

CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18th August 2023.

ORDER:-

1. Heard rival submissions.
2. The applicants are seeking condonation of delay of 1147 days in filing the appeal, which appears to be caused due to their poor financial condition. The learned learned A.G.P. strongly opposed the application on the ground that the delay is not properly explained. 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 1147 days in this application stands condoned subject to condition that the applicants shall not claim any interest for the period of aforesaid delay.

4. The appeal be placed for admission after removal of office objections, if any.
5. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)