

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

**909 CIVIL APPLICATION NO.12072 OF 2018
IN FAST/23018/2018**

**BALAJI @ BABARAO JIVNAJI BARSE (DIED) THROUGH LRS
KISAN AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

**AND
910 CIVIL APPLICATION NO.139 OF 2019
IN FAST/21658/2018**

**BALAJI KISHANRAO LUTE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. S.K. Adkine, Advocate for the applicants.
Mr. S.N. Kendre and Mr. A.B. Chate, AGPs in respective
applications for the State.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 30th March 2023.

ORDER:-

1. Heard the rival submissions.
2. The respective applicants are seeking condonation of delay of about 23 years in filing these appeals, which appears to be caused due to their poor financial condition. The learned AGP strongly opposed the applications on the ground that the delay is not properly explained and there is circulation delay also.

3. Though there is a huge delay, but as per the submissions of learned Counsel for the applicants, this Court has already condoned similar delay in other connected matters. Moreover, this Court, Nagpur Bench, in the case of Prashant Gulab Rathod and others vs State of Maharashtra and others has condoned the delay of 28 years in land acquisition matters. In view of the same, the applications are allowed and the delay periods mentioned therein stand condoned subject to condition that the applicants shall not claim any interest for the aforesaid delay periods and also for delay in circulating the matters belatedly.

4. The appeals be placed for admission after removal of office objections, if any.

5. The applications are accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)