

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

960 CIVIL APPLICATION NO.12164 OF 2022
IN FAST/21887/2022

MURLIDHAR SHAHAJI TANDALE
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, BEED AND ORS

...
Advocate for Applicants : Mr. G.B. Kingre
AGP for Respondents 1 & 2 : Mr. K.B. Jadhavar
Advocate for Respondent 3 : Mrs. Sarita Gaikwad
...

961 CIVIL APPLICATION NO.12165 OF 2022
IN FAST/21888/2022

GORAKH SHAHAJI TANDALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR BEED AND OTHERS

...
Advocate for Applicants : Mr. G.B. Kingre
AGP for Respondents 1 & 2 : Mr. N.T. Bhagat
Advocate for Respondent 3 : Mrs. Sarita Gaikwad
...

962 CIVIL APPLICATION NO.12651 OF 2022
IN FAST/22510/2022

MAHADEO SOPAN TANDALE AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR, BEED AND OTHERS

...
Advocate for Applicants : Mr. G.B. Kingre
AGP for Respondents 1 & 2 : Mrs. R.P. Gaur
Advocate for Respondent 3 : Mrs. Sarita Gaikwad
...

963 CIVIL APPLICATION NO.12652 OF 2022
IN FAST/22513/2022

TULSHIDAS BANKAT TANDALE AND ORS
VERSUS
THE STATE OF MAHARASHTRA THR COLLECTOR, BEED AND ORS

...
Advocate for Applicants : Mr. G.B. Kingre
AGP for Respondents 1 & 2 : Mr. L.K. Lokhande
Advocate for Respondent 3 : Mrs. Sarita Gaikwad
...

CORAM : ARUN R. PEDNEKER, J.
DATED : 01/09/2023

PER COURT :

1. Heard the learned counsel for the respective parties.
2. The appellants have filed the first appeals along with applications for condonation of delay of 4116 days in first two matters, 4121 days in third matter and 3826 days in last matter, caused in filing the first appeals.
3. The learned counsel for the appellants submits that in the identical facts, situation, arising out of the same acquisition, this Court has passed order dated 10.11.2022 in Civil Application No. 8563/2022 in First Appeal St. No. 8439/2022 and condoned the delay of 3960 days, subject to condition that the applicants shall not claim any interest for the aforesaid delay period. The learned AGP as well as the learned counsel appearing for the Acquiring Body have strongly opposed the application.
4. The learned counsel submits that the lands of the applicants were acquired compulsorily and their financial condition is very poor and due to that the delay is caused in filing the first appeals.
5. In view of the above, considering the statutory right of the applicants and in the interest of justice, the delay caused in filing the present first appeals is condoned. The applications are allowed and disposed of, subject to condition that the applicants shall not claim any interest for the aforesaid delay period.
6. Appellants are to remove all the office objections.
7. List the appeals on 29.9.2023.

[ARUN R. PEDNEKER J.]

ssc/