

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

**937 CIVIL APPLICATION NO.2441 OF 2023
IN FAST/24489/2020**

**KASHINATH S/O KALLAPA (DECEASED) LRS. SUSHILABAI W/O
KASHINATH AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA THROUGH DISTRICT COLLECTOR,
NANDED AND OTHERS**

...
Advocate for Applicants : Mr. G.N. Chincholkar
AGP for Respondents – State : Mr. K. B. Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 30.08.2023

PER COURT :

1. Heard the learned counsel for the parties.
2. The learned counsel for the applicants has filed application for condonation of delay of (1994) days in filing the First Appeal. He further submits that they are poor labourers whose lands were compulsorily acquired and that the applicants have no independent income resources to file present appeal. He submits that an irreparable loss would be cause to them if the delay is not condoned.
3. Learned AGP for respondents-State opposes the application.

4. The respondent No. 3 -Acquiring Body though served, but remained absent.

5. For the reasons stated in the application, Civil Application is allowed. The delay of (1994) days in filing the First Appeal is condoned, subject to the condition that the applicants would not be entitled for the interest for the delayed period. The Civil Application is disposed off accordingly.

7. Appeal be registered after removal of office objections.

(ARUN R. PEDNEKER)
JUDGE

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shp/-