

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

**CIVIL APPLICATION NO.16817 OF 2022
IN FAST/24585/2022**

**RASULSAB KASIMSAB SAYYAD
VERSUS
THE STATE OF MAHARASHTRA THR THE DISTRICT
COLLECTOR, NANDED AND ORS**

...
Mr. Ajinkya A. Joshi /f Mr. S. V. Natu, Advocate for the Applicant.
Mr. S. S. Dande, AGP for Respondents-State.

...

CORAM : S. G. CHAPALGAONKAR, J.

DATE : 31st JULY, 2023.

PER COURT:-

1. By this application, the applicant seeks to condone the delay of 998 days caused in filing the appeal.

2. The learned Advocate appearing for the applicant submits that the Reference Court passed Award on 21.09.2019. Thereafter, due to Covid-19 pandemic, by general order passed by the Supreme Court of India limitation period was freezed. The present appeal is filed in September-2022. Therefore, there is a marginal delay, which is duly explained in paragraph nos.4 to 8 of the application.

3. Mr. Dande, learned AGP appearing for the respondent-State opposes the prayer and submits that the References were decided prior to Covid-19 period and even limitation was expired before the commencement of Covid-19.

4. Though notice of this application is served upon respondent no.3, none appears.

5. Considering the reasons as stated in the application and the fact that the applicant is litigating for getting adequate compensation for acquired land, it would be appropriate to condone the delay. Hence, the following order:-

ORDER

- a. Civil Application is allowed.
- b. Delay of 998 days caused in filing the appeal is condoned.
- c. Appeal be registered.

(S. G. CHAPALGAONKAR)
JUDGE