

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

**961 CIVIL APPLICATION NO.5381 OF 2023
IN FAST/33597/2022**

**TEJARAO DEVIDAS DONGRE
VERSUS
THE EXECUTIVE ENGINEER MINOR IRRIGATION DIVISION JALNA
AND OTHERS**

...
Advocate for Applicant : Mr. Vilas M. Humbe
AGP for Respondents – State : Mr. K. B. Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 30.08.2023

PER COURT :

1. The learned counsel for the applicant has filed application for condonation of delay of (2278) days caused in filing the First Appeal.
2. Heard the learned counsel for the applicant and the learned AGP for respondents-State.
3. The learned counsel submits that applicant was facing financial crisis therefore could not file First Appeal. The applicant is poor labour whose land is compulsorily acquired and that he has no independent income resources to file present appeal. He submits that an irreparable loss would be caused to him if the delay is not condoned.

4. Learned AGP for respondents-State opposes the application formally.

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

6. For the reasons stated in the application, Civil Application is allowed. The delay of (2278) days in filing the First Appeal is condoned subject to the condition that the applicant 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, if any.

(ARUN R. PEDNEKER)
JUDGE

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shp/-