

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6186 OF 2022
IN FIRST APPEAL (ST) NO. 35786 OF 2019

BHIKAJI SHIVDAS KOKATE (DIED) THR LRS VISHWASH
BHIKAJI KOKATE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Mr. S.S. Shinde – Advocate for Applicants
Mr. S.S. Dande – AGP for Respondent No.1
....

CORAM : SANDIPKUMAR C. MORE, J.

DATE : 17th April, 2023

PER COURT :

1. Heard rival submissions.
2. The applicants are seeking condonation of delay of 1614 days, which appears to be caused due to their poor financial condition.
3. The learned A.G.P. strongly opposed the application on the ground that no reasonable cause is mentioned for condoning the delay period and there is also circulation delay. The acquiring body though served, but remained absent.

4. However, considering the statutory right of the applicants and for the reasons stated in the application, the application is allowed and the delay of 1614 days stands condoned subject to condition that the applicants shall not claim any interest for the period of aforesaid delay and also for delay in circulating the matter belatedly.

5. The appeal be placed for admission after removal of office objections, if any.

6. The application is accordingly disposed of.

[SANDIPKUMAR C. MORE]
JUDGE