

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

**919 CIVIL APPLICATION NO.5410 OF 2022
IN FAST/36175/2019
TANABAI RAMRAO GAVHAD (DIED) THR LRS SAWALARAM
RAMRAOGAVHAD AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ORS**

Mr.D.M. Pingale, Advocate for the applicant.
Mr.S.S. Dande, AGP for the respondent/State.
Mr.S.G. Bhalerao, Advocate for respondent No.3.

**CORAM : KISHORE C. SANT, J.
DATED : 23.08.2023**

PC :-

01. This application is moved for condonation of delay of 2701 days in filing appeal. The learned Advocate for the applicant produces on record an order passed by this Court in a group of similar matters, wherein this Court was pleased to condone the delay. He submits that in all those matters there was delay of more than 2000 days. The proceedings are arising out of the same project.

02. The learned Advocate for the respondent strenuously opposes the prayer for condonation of delay. He submits that there is no sufficient cause shown in the application. In absence of sufficient cause, the delay cannot be

condoned.

03. Considering that in similar matters already delay is condoned, this Court finds that even in this matter, delay can be condoned, subject to condition that the applicant/appellant shall not be entitled to claim interest for the period of delay caused in filing the First Appeal.

04. The Civil Application is accordingly allowed and disposed off.

[KISHORE C. SANT, J.]