

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (F) NO.1147 OF 2023

IN

FIRST APPEAL (ST) NO.3077 OF 2023

[Manohar Mansing Rathod (Dead) thr LRs ..V/s.. State of Maharashtra and
Ors.]

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders.*

Court's or Judge's order

Mr A. B. Nakshane, Adv. h/f Mr I. M. Ghongade, Advocate for Applicants/Appellants.
 Ms T. H. Udeshi, AGP for Respondent Nos.1 to 3.
 Mr T. M. Zaheer, Advocate for Respondent No.4.

CORAM : URMILA JOSHI-PHALKE, J.

DATE : 18th APRIL, 2023.

- . Present application is for condonation of delay.
2. Ms Udeshi, learned Assistant Government Pleader waives notice for respondent Nos.1 to 3 and Mr Zaheer, learned Advocate waives notice for respondent No.4.
3. As per the contention of the appellants, their land is already acquired by the Government for the purpose of Arunawati Project, however, inadequate compensation is awarded. Therefore, the appeal is preferred for enhancement of the compensation. The appellants are illiterate persons having no knowledge about the legal intricacies, and therefore, they could not approach to their Counsel and delay of 2696 days is caused in preferring the appeal.
4. Learned Assistant Government Pleader has raised strong objection on the ground that the delay is not properly explained. Learned Advocate Mr Zaheer endorsed the same contention.
5. In view of the reasons mentioned in the application, the

application is allowed and delay of 2696 days is condoned.

Appeal be registered and numbered accordingly.

6. The civil application is disposed of.

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7. Heard.

8. **Admit.**

9. Call for Record and Proceedings.

10. Learned AGP waives notice for respondent Nos.1 to 3 and learned Advocate Mr Zaheer waives notice for respondent No.4.

11. Appellants to file private paper-book within ten weeks after receipt of the record and proceedings.

12. Place the matter before the Court for final hearing after filing of the paper-book, its verification as per its own turn.

JUDGE