

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 2447/2022 IN
FIRST APPEAL STAMP NO. 3498/2022

Madhukar Vishvas Shende

Vs

The State Of Maharashtra Through The Collector, Wardha And Others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr P.S. Kshirsagar, counsel for the applicant/appellant.

Mr M.A. Kadu, AGP for the non-applicant Nos. 1 and 2.

Mr T.M. Zaheer, counsel for the non-applicant No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 31/03/2023.

1. Heard.

2. By this application, the applicant is seeking condonation of delay of 261 days which is caused in preferring the appeal, on the ground that the applicant is an illiterate villager, not aware of the legal provisions and also the Covid pandemic situation. Therefore, he could not approach the Court in filing the appeal.

3. In view of the reason mentioned in the application, considering the applicant has claimed the enhancement of the compensation and to do substantial justice, delay of 261 days in filing the appeal is condoned.

Civil application is disposed of.

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First Appeal be registered.

2. **Admit.**

3. Mr M.A. Kadu, learned AGP waives service of notice on behalf of respondent Nos. 1 and 2.

4. Mr T.M. Zaheer, learned counsel waives service of notice on behalf of respondent No.3.

5. Call for record and proceedings.

6. After receipt of record and proceedings, the appellant to file private paper-book within a period of ten weeks.

7. Appeal be placed before the Court after filing of private paper-book and its verification.

JUDGE