

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

CIVIL APPLICATION NO. 1126 OF 2022 IN
FIRST APPEAL ST. NO. 6532 OF 2022

Shriram Shivram Gadhane (dead) thr. LR's and ors. ..vs.. The Collector, Buldhana

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

Court's or Judge's Order

Shri Vinay Rathi, h/f Shri P.B. Patil, Advocate for the appellants.
Ms. S. Haider, A.G.P for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 23, 2023.

Heard.

2. By this application, the appellant is seeking condonation of delay caused in filing the first appeal.

3. As per the contention of the appellant, their land is acquired for percolation Tank by respondent No.3. The Award passed by the Reference Court is not just, and therefore, they have challenged the same. However, as the appellant are illiterate persons, they have not filed the appeal within the limitation period.

4. The delay is not intentional one, and hence, delay be condoned.

5. Respondents have no objection for condonation of delay.

6. Learned Assistant Government Pleader waives for 1 and 2 and none appears for respondent No.3.

7. In view of reasons mentioned in the

application, delay of 2117 days is condoned on waiver of the interest for the delayed period.

8. Civil application is disposed of.

9. Appeal be registered.

FIRST APPEAL ST. NO. 6532 OF 2022

Heard.

2. Call for R. and P.

3. Stand over to four weeks.

(URMILA JOSHI-PHALKE, J.)

**Divya*