

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

CIVIL APPLICATION (CAF) NO. 1693 OF 2022
IN
FIRST APPEAL (ST.) NO. 8752 OF 2021

SINDHUBAI GAJANAN BHUTEKAR

...VERSUS...

THE STATE OF MAHARASHTRA THR. COLLECTOR, BULDANA AND ORS.

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

Court's or Judge's order

Ms. Kalyani Waware, Advocate h/f. Shri S.S.Gaikwad, Advocate for
applicant/appellant.
Ms. T.H.Udeshi, AGP for respondent nos. 1 and 2.

CORAM : SMT. M. S. JAWALKAR, J.

DATE : 12th JUNE, 2023

The present application is filed for condonation of delay of 1253 days in filing First Appeal.

2. It is contended that due to poor financial condition, she was not able to pay the Court fees. In view thereof, the delay is caused.
3. Heard learned AGP for respondent nos. 1 and 2/State.
4. In spite of service, nobody is present for respondent no. 3.
5. For the reasons stated in the application, I am satisfied that there is justifiable reason for delay. However, there is huge delay of 1253 days. In view thereof, I am inclined to allow the application, subject to the condition that, the appellant/applicant will not entitle to receive interest on enhanced compensation as well as statutory compensation for the delayed period. As such, the application is allowed.

6. Delay in filing First Appeal is hereby condoned, subject to condition that, the appellant/applicant will not claim any interest on the enhanced compensation or statutory compensation for the delayed period.

7. Registry is directed to register the First Appeal.

8. Accordingly, the application stands disposed of.

FIRST APPEAL (ST.) NO. 8752 OF 2021

After registration of First Appeal, issue notice to the respondents.

2. Ms. T.H.Udeshi, learned AGP waives notice for respondent nos. 1 and 2.

(Smt. M.S. Jawalkar, J.)

B.T.Khapekar