

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

CIVIL APPLICATION (CAF) NO.09 OF 2020
IN
FIRST APPEAL STAMP NO.12503 OF 2019

Rajendra s/o Parashram Tarte

Vs.

The State of Maharashtra, Through Collector, Yavatmal and others

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

Court's or Judge's orders

Mr. S. V. Ingole, Advocate h/f Mr. D. G. Patil, Advocate for appellant.
Mr. M. A. Kadu, AGP for respondent Nos.1 and 2.
Mr. Tariq Zaheer, Advocate for respondent No.3.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 27/04/2023

1. Present application is for condonation of delay. As delay of 702 days is caused in preferring the appeal against the Judgment and Award passed by the Civil Judge Senior Division, Darwha in Land Acquisition Case No.55/2010.

2. The application is filed on the ground that due to the financial constraints, the appellant could not file an appeal within time. Moreover, the appellant is a poor agriculturist, not aware about the legal intricacies and, therefore, could not approached to the counsel and file an appeal.

3. Learned AGP Mr. M. A. Kadu, waived notice for respondent Nos.1 and 2 and learned Advocate Mr. Tariq Zaheer waives notice for respondent No.3.

4. In view of the reasons mentioned in the application and considering the period of delay, delay deserves to be condoned, subject to the waiver of the interest on the compensation amount.
5. Civil application is disposed of.
6. Appeal be registered.

FIRST APPEAL STAMP NO.12503 OF 2019

1. Heard.
2. **Admit.**
3. Learned AGP Mr. M. A. Kadu, waives notice for respondent Nos.1 and 2.
4. Learned Advocate Mr. Tariq Zaheer waives notice for respondent No.3.
5. Call for record and proceeding.
6. Appellant to file paper book within ten weeks, after receipt of record and proceeding.
7. Appeal be placed before the Court after filing of paper book, its verification, as per its own turn.

(URMILA JOSHI-PHALKE, J.)