

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

CAF NO.142/2023 AND FA ST.NO.16559/2022

Dyndeo Nivrutti Dhote and anr

..VS..

The State of Mah. thr.the Collector, Washim and anr

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

Court's or Judge's Order

Shri S.A.Mohta, Counsel for Applicants.
Mrs.Shamsi Haider, AGP for R-1.
Shri M.A.Kadu, Counsel for R-2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 19/01/2023

1. Applicants/claimants seek condonation of delay in filing first appeal. Delay is of 221 days.
2. Learned counsel Shri S.A.Mohta for applicants/claimants submits that the delay is caused as applicants are illiterate and old aged persons and as such they could not contact to Advocate as well as they are facing financial crisis. The delay caused is not deliberate one.
3. Learned Assistant Government Pleader Mrs.Shamsi Haider for non-applicant No1 and learned counsel Shri M.A.Kadu for non-applicant No.2 submit that the delay may be condoned subject to waiver of interest for the delayed period.
4. In view of statements made and in view of contentions raised in the application, the delay stands condoned, however the same shall be on waiver of interest for the delayed period.
5. Learned counsel for applicants submits that he has already placed entire set of documents on record.
6. Learned counsel for applicants shall furnish entire set of documents to learned counsel for respondents.
7. The appeal be listed for final hearing after six weeks.
8. Filing of paper book is dispensed with.
9. The application is **disposed** of.

(URMILA JOSHI-PHALKE, J.)

!! BrWankhede !!

**BHUSHAN
RANA
WANKHEDE**

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Date: 2023.01.20
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