

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

**CIVIL APPLICATION NO.4473 OF 2019 IN
FIRST APPEAL (ST.) NO.20881 OF 2017**

(Anil s/o Sudamdeo Wankhede Vs. The State of Maharashtra and ors.)

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

Court's or Judge's Order

Shri R.J. Shinde, Advocate for the appellant.
Ms Udeshi, AGP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JANUARY 17, 2023.

Heard.

2. By this application, the appellant is seeking condonation of delay of 1163 days which is caused in filing the first appeal.

3. As per the contention of the appellant/original claimant that by this appeal he has challenged the judgment and award passed by the Civil Judge, Senior Division, Darwaha dated 17/04/2014 however the delay of 1163 days is caused. It is further the contention of the appellant that after he got the knowledge of the impugned award, he applied for the certified copies and thereafter he approached to the learned Counsel for filing the appeal. The appellant is illiterate person and not aware about the legal provisions, and therefore, delay is caused. Notice of the stay application is served on the respondents.

4. Ms Udeshi, learned Assistant Government Pleader for the State and Shri M.A. Kadu, learned Counsel

for respondent No.4 have no objection for condoning the delay.

5. In view of the reasons mentioned in the application, the delay is condoned subject to waiver of interest for the delayed period.

6. Civil application is disposed of.

FIRST APPEAL (ST.) NO.20881 OF 2017

Heard.

2. Appeal be registered.

3. Call for R. and P.

4. Private Paper book be filed within a period of six weeks after receipt of R. and P.

(URMILA JOSHI-PHALKE, J.)

**Divya*