



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 5148 OF 2021 IN
FIRST APPEAL ST. NO. 18587 OF 2019

Ambalal Ravsing Nayak

.. Applicant

Versus

The State of Maharashtra & others

.. Respondents

Mr. Kumar Gaurav M. More, Advocate for the applicant.
Mr. S. V. Hange, AGP for the State.

CORAM : R. M. JOSHI, J.

DATE : 12th JANUARY, 2024.

PER COURT :

1. This is an application for condonation of delay of 2395 days in preferring appeal against judgment and award dated 30th August, 2012 passed by Civil Judge Senior Division, Nandurbar in LAR No. 20/2012.

2. Learned counsel for applicant/original claimant contends that applicant is a poor person doing labour work with no sufficient means of income. According to him, he had to raise loan for the purpose of preferring this appeal.

3. None appears for acquiring body inspite of service of notice. This indicates that the acquiring body is not interested in opposing the application. Learned AGP opposed the application.

4. Considering the reasons mentioned in the application, no malafides can be attributed to the applicant for not preferring the appeal in time. It is clarified that applicant/appellant would not be entitled to interest on amount if he succeeds in the appeal for the aforesaid period. In view of this, delay deserves to be condoned. Hence, application is allowed in terms of prayer clause 'B'. Appeal be registered.

(R. M. JOSHI)
Judge

dyb