



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1776 OF 2022 IN
FIRST APPEAL ST. NO. 25801 OF 2019

Hiraji Nagoji
(Deceased through LRs) & others .. Applicants

Versus

State of Maharashtra & another .. Respondents

Mr. Shaikh Kayyum Najir, Advocate for the applicants.
Mr. S. V. Hange, AGP for the State.
Mr. M. N. Navandar, Advocate for respondent No. 2.

CORAM : R. M. JOSHI, J.
DATE : 17th JANUARY, 2024.

PER COURT :

1. This is an application for condonation of delay of 197 days in preferring appeal against judgment and award dated 8th September, 2018 passed in LAR No. 324/2001.

2. Applicants claim that for making arrangement of funds for preferring appeal, time was lapsed and hence, there is no deliberate or intentional act on their part in not preferring the appeal in time. Learned counsel for respondent opposed the application.

3. Considering the reasons mentioned in the application, no malafides can be attributed to the applicants in not preferring the

appeal in time. Application deserves to be allowed in terms of prayer clause 'B' and 'C'. Applicants would not be entitled for interest for the aforestated period of delay. Appeal be registered.

(R. M. JOSHI)
Judge

dyb