



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

1 CIVIL APPLICATION NO. 5405 OF 2023
IN FAST/32073/2022

KASHIMALI ZINDASAHEB

VERSUS

THE STATE OF MAHARASHTRA, THROUGH COLLECTOR
(EARTHQUAKE) OSMANABAD AND ANR

...

Advocate for Applicant : Mr. Ingale Vivekanand V.
AGP for Respondents/State : Mr.A.M.Phule

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CORAM : KISHORE C. SANT, J.

DATE : 03rd JULY, 2024.

PER COURT :

1. Heard the learned Advocate for the applicant and learned AGP for Respondents/State.
2. This application is filed seeking condonation of delay of 4587 days caused in filing the First Appeal.
3. Learned Advocate for the applicant submits that the applicant was infact advised to file a Cross-Objection in appeal filed by the State. After notice, however, the appeal by the State

subsequently came to be withdrawn. He submits that however, one appeal filed by the State is still pending bearing First Appeal No. 1869 of 2019. It is arising out of the same project/acquisition proceedings.

4. Learned AGP has strongly opposed the application stating that no sufficient reasons are given in the application.

5. Considering above, this Court is inclined to allow the application. The delay stands condoned, subject to condition that the applicant shall not claim any interest for the delayed period.

6. With this application stands allowed and disposed off.

(KISHORE C. SANT)
JUDGE

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