



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 4960 OF 2024
IN FAST/5430/2024**

**LAYABAI EKNATH CHINCHOLE DIED THR BHIKA E.
CHINCHOLE DIED THR NANABAI BHIKA CHINCHOLE AND
ORS**

VERSUS

**THE COLLECTOR THR THE SPECIAL LAND ACQUISITION
OFFICER 1 UTPH J
ALGAON AND ORS**

...

Mr. I. K. Wagh h/f Mr. More Kumar Gaurav M., Advocate for
Applicants.

Mr. V. S. Badakh, AGP for Respondents-State.

...

**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 03rd APRIL, 2025.**

P.C.:-

1. The learned Advocate appearing for applicants invites attention of this Court to order dated 04.10.2024, by which delay of 2457 days caused in filing sister Appeal arising out of same acquisition has been condoned by imposing cost of Rs.2000/-. He submits that same course may be adopted in this case.

2. The learned Advocate appearing for respondents vehemently opposes application and submits that delay of 2457 days is inordinate and there is hardly any explanation to such delay.

3. Having considered submissions advanced and for the reasons as stated in application, it can be observed that delay caused in filing Appeal is not deliberate. The applicants have not derived any advantage may making such delay. Further in Appeal filed by other claimants arising out of same acquisition, this Court has condoned delay subject to payment of cost of Rs.2000/-. Therefore,

applicants also deserves to be given similar treatment. Hence, following order:

ORDER

- a. Civil Application is allowed.
- b. Delay of 2457 days caused in filing appeal is hereby condoned subject to deposit of cost of Rs.2000/- to Advocates' Bar Library at Bombay High Court bench at Aurangabad. The cost to be deposited within a period of four weeks from today.
- c. On deposit of cost, Appeal be registered subject to removal of office objections.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/April-2025