



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

**920 CIVIL APPLICATION NO. 10358 OF 2023
IN FAST/11884/2020**

**NARAYAN NIVRATI KHANDAGALE AND ANR
VERSUS
THE STATE OF MAHARASHTRA THR DIST. COLLECTOR,
NANDED AND ORS**

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Ms. Anagha Pandit h/for Mr. K. M. Nagarkar, Advocate for the
Applicants

Mr. R. B. Dhaware, AGP for the Respondents-State

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CORAM : NEERAJ P. DHOTE, J.

DATE : 03.04.2025

PER COURT :-

1. This is an Application for condonation of 222 days delay in preferring the Appeal by the original Claimants against the Judgment and Award dated 16.04.2019 passed by the learned Civil Judge, Senior Division, Mukhed in LAR No.153 of 2007.

2. By order dated 06.02.2025, notice was issued to the Respondents and the learned AGP waives service for Respondent Nos.1 and 2. The office note shows that Respondent No.3-Acquiring Body was served. None appears for Respondent No.3.

3. It is submitted by the learned Advocate for the Applicants that the Applicants are the senior citizens and due to the financial constraints and due to lockdown in pandemic, they could not prefer the Appeal within the prescribed time and the Application be allowed.
4. The learned AGP opposes the Application.
5. On hearing both sides and for the reasons mentioned in Paragraph Nos, 6, 7 and 8 the Application is allowed in terms of prayer clause 'B'. The Applicants shall not be entitled for the statutory benefits and the interest for the delayed period.
6. The copy of this order be placed in the order sheet of the Appeal Memo.

[NEERAJ P DHOTE, J.]

HRJadhav