



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

**924 CIVIL APPLICATION NO. 476 OF 2022
IN FAST/12447/2020**

NIZAM CHANDSAB AND ANR

....Applicants

VERSUS

THE STATE OF MAHARASHTRA THR THE DISTRICT
COLLECTOR, NANDED AND ORS

.....Respondents

.....

Advocate for Applicants : Mr. A. A. Joshi h.f S. V. Natu

AGP for Respondent/State: Mr. R. B. Dhaware

Advocate for Respondent No.2 ; Mr. Bhushan Vijay Virdhe

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 06 FEBRUARY , 2025

ORDER

1. Heard rival submissions.
2. The applicants in this application, is seeking condonation of delay of 4547 days which appears to be caused due to their poor financial condition.
3. The learned counsel for Acquiring Body as well as learned A.G.P. strongly opposed the applications by relying on the judgment of Hon'ble Apex Court in the case of **Pathapati Subba Reddy (Died) By L.Rs. Versus Special Deputy Collect (LA) AIR ONLINE 2024 SC 261** wherein huge delay without sufficient cause was not condoned.

4. However, considering the statutory right of the applicants and considering the reasons stated in the application, the application is allowed and the delay of 4547 days in this application stands condoned subject to cost of Rs. 6,500/- (Six thousand five hundred only) to be paid to the registry of this Court, for utilization of High Court Dispensary within eight weeks. The applicants shall not claim any interest and statutory benefits for the period of aforesaid delay.

5. The appeal be placed for admission after removal of office objections, if any and deposit of cost.

6. The application is accordingly disposed of.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni