



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

916 CIVIL APPLICATION NO. 6102 OF 2022
IN FIRST APPEAL (ST) NO. 17122 OF 2021

ANUSAYABAI DIGAMBAR CHOUDHARY
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR NANDED
AND OTHERS

...
Mr. Taher Ali Quadri – Advocate for Applicant
Mr. Dnyaneshwar J. Patil – AGP for Respondent Nos.1 and 2, State
Mr. S.A. Mulla h/f. Mr. R.K. Ingole – Advocate for Respondent No.3
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CORAM : SANJAY A. DESHMUKH, J.
DATE : 16th JANUARY, 2025

PER COURT :

CIVIL APPLICATION NO. 6102 OF 2022

1. This is an application filed for condonation of delay of 473 days in filing appeal.
2. Heard learned advocate for applicant, learned A.G.P. for respondent Nos.1 and 2, State and learned advocate for respondent No.3.
3. Perused the application as well as impugned judgment and award passed by the learned Reference Court.
4. Learned advocate for applicant submitted that, the delay is not

deliberately caused. He submitted that, due to some lack of communication between the applicant and her advocate, the applicant could not attend the Court. Learned advocate for applicant also could not appear on her behalf. He further submits to condone the delay in the interest of justice.

5. Learned advocate for respondent No.3 submits that, the delay is not properly explained. Learned A.G.P. also strongly opposed the application and submits that, the delay is deliberately caused. Therefore, he prayed for rejecting the application.

6. On perusal of the application alongwith other documents on record, it appears that the application filed for delay condonation are cogent and acceptable. It also appears that, delay is not deliberately caused. Considering the reasons the application, the application is allowed in the interest of justice by condoning the delay caused in filing appeal.

7. The delay of 473 days stands condoned.

8. The application is disposed of.

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9. Issue notice to the respondents.

10. Learned A.G.P. waives service of notice for respondent Nos.1 and 2, State and learned advocate – Mr. S.A. Mulla holding for Mr. R.K. Ingole waives service of notice for respondent No.3.
11. Stand over to 27th February, 2025.

[SANJAY A. DESHMUKH]
JUDGE