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21-CA-12758-2011

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 CIVIL APPLICATION NO. 12758 OF 2011
IN FAST/23707/2011

The State Of Mah Thr. Collector, Latur And Ors
VERSUS
Digambar Prabhu More And Anr

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Mr. B. B. Bhise, AGP for Applicants-State.
Mr. V. D. Gunale, Advocate for respondents.

CORAM : KISHORE C. SANT, J.
DATE : 11th NOVEMBER 2025

PC :-

1. This application is filed for condonation of delay of 219 days. The applicant seeks to challenge the judgment and order passed by learned 2nd Joint Civil Judge, Senior Division, Latur, in Special Civil Suit No. 7 of 2007 dated 12th July 2010.
2. It is pointed out that the valuation of the suit was Rs.32 lakhs. Now subsequently, the pecuniary jurisdiction of the District Judge to decide the appeals is enhanced to Rs.1 crore. In view of the same, the appeal would lie before the District Court.

Ethape

3. In view of the above, liberty is granted to the appellant/applicant to present the appeal if it is returned before the District Judge, Latur. If the appeal is not returned, the learned District Judge to proceed with the same.
4. Needless to say that, while calculating the period of limitation, the period of pendency of the first appeal before this Court shall be excluded while calculating the delay.
5. Application stands disposed off. Consequently, the appeal also stands disposed off.
6. Pending applications, if any, also stand disposed off.

[KISHORE C. SANT, J.]