



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

**CIVIL APPLICATION NO. 13875 OF 2024
IN FAST/30270/2024**

Sanjay Digambar Dhondiparge Died Thr Lrs Shobha Sanjay
Dhondiparge And Ors

VERSUS

The State Of Maharashtra Thr. Collector Latur And Ors.

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Adv. V. G. Sakolkar And Adv. H. B. Nandagavale, Advocate for
Applicants

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

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : 15TH APRIL, 2025

PER COURT :-

1. Heard Mr. Sakolkar, learned Advocate appearing for the applicant, learned AGP for respondent Nos.1 and 2.
2. Although, notice is served, respondent No.3 does not cause appearance.
3. Applicant seeks to condone the delay of 877 days caused in filing appeal, learned AGP strongly opposed the application on the basis of reasons stated in this application.
4. Perused reasons as stated in the application. The applicant could not file appeal due to financial duress, the

appeal is filed only after receipt of the compensation amount, on or after 05th July, 2025. Considering nature of litigation and the submissions advanced, the case is made out to condone the delay of 877 days, subject to certain conditions. Hence, following order:

ORDER

- i. Civil Application is allowed.
- ii. Delay of 877 days caused in filing appeal is condoned, subject to condition that applicant files an undertaking to Registrar (Judicial) of this Court stating that he shall not claim interest and statutory benefit on enhanced compensation amount, in case, his appeal is allowed and favourable order is passed.
- iii. Civil Application stands **disposed** of accordingly.

(S. G. CHAPALGAONKAR, J.)