

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

**35 CIVIL APPLICATION NO. 5742 OF 2022
IN FAST/34583/2019**

SHIVAJI DEUBA SONWANE

....Applicant

VERSUS

THE EX. ENGINEER, MINOR IRRIGATION DIVISION, JALNA AND
ORS

.....Respondent

.....

Advocate for Applicant : Adv. R. R. Kale h/f Mr. V.M. Humbe
AGP for Respondent Nos. 2 and 3 : Mr. R. B. Dhawalkar

...

**CORAM : SANDIPKUMAR C. MORE, J.
DATED : MARCH 03, 2025**

ORDER:-

1. Heard rival submissions.
2. The applicant is seeking condonation of delay of 939 days in filing the appeal, which appears to be caused due to his poor financial condition.
3. The learned counsel for the respondent Acquiring Body remained absent. The learned AGP is formal party, but strongly opposed the application on the ground that the delay is not properly explained and it is inordinate.
4. However, considering the statutory right of the applicant and for the reasons stated in the application, the application is allowed and the delay of 939 days in this application stands

condoned subject to cost of Rs. 1500/- (Rs. One thousand Five Hundred) to be deposited with the Registry of this Court for utilization of High Court Dispensary within two weeks and also subject to condition that the applicant shall not claim any interest and statutory benefit 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 .
7. Call record and proceedings in the appeal.

(SANDIPKUMAR C. MORE, J.)

Y.S. Kulkarni