



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 2634 OF 2024
IN
FIRST APPEAL (ST) NO. 19922 OF 2023

Smt. Yashodabai Nandkishor Chavan and Ors.

Vs.

State of Maharashtra, Thru. Collector, Dist. Yavatmal and Ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr. A.A. Zade, Advocate for applicant.

Mr. A.M. Kadukar, AGP for non-applicant No.1 & 2/State.

CORAM : SHYAM C. CHANDAK, J.

DATE : 23.06.2025.

Heard.

2. Present application seeking condonation of 680 days delay in filing the aforesaid appeal against the judgment and decree dated 05.09.2019 in LAC No.2144/2004, passed by the learned District Judge-1, Darwaha, Dist. Yavatmal.

3. Learned counsel for the applicant submits that half of the land owned by the applicant has been acquired in relation to the Percolation Tank Project of village Shivani, for which, meager

compensation has been awarded to the applicant. The applicant has bright chances of succeeding in the appeal and getting more compensation than already granted. However, after impugned Award was passed on 05.09.2019, the compensation amount was actually paid to the applicant on 10.11.2020. The applicant is poor and due to his poor financial condition, he could not prefer the appeal within time.

4. Learned counsel for the respondents have taken objection to condone the delay. However, they could not not point out any substantive reasons to refuse this application.

5. In view thereof and considering submissions made by Mr. Zade, the learned counsel for the applicant, the application is allowed. The delay of 680 days in filing the appeal is hereby condoned. Appeal be registered.

FIRST APPEAL (ST) NO. 19922 OF 2023

Issue notice to the respondents, returnable on 18.08.2025.

2. Mr. Kadukar, learned AGP waives service of notice on behalf of respondent Nos.1 & 2.
3. Learned counsel for the applicant undertakes to supply the copy of the appeal to the respondents in due course.
4. Call for record and proceedings.

(SHYAM C. CHANDAK, J.)