

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

937 CIVIL APPLICATION NO.1240 OF 2018
IN RC/768/2020 WITH CA/818/2022 IN FAST/34354/2017 WITH
CA/13420/2021 IN FAST/34354/2017 WITH CA/1241/2018 IN
FAST/34354/2017 WITH CA/819/2022 IN FAST/34348/2017
WITH CA/13421/2021 IN FAST/34348/2017 WITH CA/1242/2018
IN FAST/34348/2017

ANNARAO BHADRAPPA WADIKAR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Y. V. Bhide
AGP for Respondent No.1: Mr. S. N. Kulkarni

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**CORAM : SANDIPKUMAR C. MORE, J.
DATED : 30/11/2022.**

P. C. :

1. The learned counsel Mr. Chillarge submits that though the appeals and the pending applications for condonation of delay were filed by him because of his appearance on behalf of applicants-appellants, but now Mr. Bhide is appearing on behalf of those applicants – appellants. As such, the appearance of Mr. Chillarge on behalf of these applicants – appellants stands discharged.

IN CIVIL APPLICATION NO. 1240 OF 2018 :

1. Heard rival submissions.

2. The applicant is seeking condonation of delay of 1687 days, which appears to be caused due to his poor financial condition. The learned AGP strongly opposed the application on the ground that the delay is not properly explained. The acquiring body though served, but remained absent.

3. However, for the reasons stated in the application, the delay of 1687 days stands condoned subject to condition that the applicant shall not claim any interest for the aforesaid period of delay.
4. The appeal be placed for admission after removal of office objections, if any.
5. The application is accordingly disposed of.

IN CIVIL APPLICATION NO.818 OF 2022 :

1. Heard rival submissions
2. The applicants being the legal representatives of original appellant Chandrakant Havappa Chillarge, who admittedly died on 08/05/2019, are seeking permission to bring themselves on record by condoning the delay of 865 days.
3. The learned AGP though opposed the application, but considering the right to sue, the application stands allowed in terms of prayer clause B & C.
4. The applicants to carry out the amendment within the stipulated period.
5. The application is accordingly disposed of.

IN CIVIL APPLICATION NO.13420 OF 2021 :

1. The learned counsel for the applicants submits that this application has been taken out inadvertently and it may be disposed of.

2. In view of the same, the application stands disposed of since another similar application is filed on the record for similar purpose.

IN CIVIL APPLICATION NO.819 OF 2022 :

1. Heard rival submissions
2. The applicants being the legal representatives of original appellant Gyanoba Bhimrao Bhurte, who admittedly died on 20/08/2020, are seeking permission to bring themselves on record by condoning the delay of 90 days.
3. The learned AGP though opposed the application, but considering the right to sue the application stands allowed in terms of prayer clause B & C.
4. The applicants to carry out the amendment within the stipulated period.
5. The application is accordingly disposed of.

IN CIVIL APPLICATION NO.13421 OF 2021 :

1. The learned counsel for the applicants submits that this application has been taken out inadvertently and it may be disposed of.
2. In view of the same, the application stands disposed of since another similar application is filed on the record for similar purpose.

(SANDIPKUMAR C. MORE, J.)