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

911 CIVIL APPLICATION NO.10167 OF 2021
IN FAST/36620/2019 WITH CA/10168/2021 IN
FAST/38012/2019

SANGRAM BABARAO BEMBDE (DIED) THR LRS GAYABAI AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND

912 CIVIL APPLICATION NO.10189 OF 2021
IN FAST/33456/2019 WITH CA/10198/2021 IN
FAST/33857/2019 WITH CA/10193/2021 IN FAST/33860/2019
WITH CA/10196/2021 IN FAST/33855/2019 WITH
CA/10190/2021 IN FAST/33864/2019 WITH CA/10192/2021 IN
FAST/33866/2019 WITH CA/10194/2021 IN FAST/33868/2019
WITH CA/10199/2021 IN FAST/33851/2019

MOHAMMED GULABSHEB SAYYAD
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND

913 CIVIL APPLICATION NO.10227 OF 2021
IN FAST/34871/2019 WITH CA/10232/2021 IN
FAST/35260/2019 WITH CA/10234/2021 IN FAST/35257/2019
WITH CA/10231/2021 IN FAST/35264/2019

TULSHIRAM BHAGWANRAO SAVRGAVE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

AND

914 CIVIL APPLICATION NO.10257 OF 2021
IN FAST/36614/2019 WITH CA/10265/2021 IN
FAST/38005/2019 WITH CA/10261/2021 IN FAST/38010/2019

WITH CA/10264/2021 IN FAST/38008/2019

NARAYAN ABAJI KHIDSE (DIED) THR LRS NAMDEO AND ORS
VERSUS
THE STATE OF MAHARASHTRA AND ANR

Mr. Shrikant B. Madde, Advocate for the applicants
Mr. S. P. Tiwari, AGP for the respondents/State

CORAM : ANIL L. PANSARE, J.

DATE : 07th July, 2022

P. C.

1. Heard.

2. The learned Advocate for the applicants submits that in the identical matters arising out of the same notification and same award, the court has condoned the delay and admitted the appeals.

3. The applicants are seeking condonation of delay in filing the first appeal. The applicants are ready to forego the claim of statutory interest for the period of delay as a condition

for its condonation.

4. The learned AGP opposed the application and submits that there is inordinate delay and the same has not been properly explained.

5. The non-applicants have not attributed *mala fides* to the applicants in filing belated appeals. It appears that in identical matters, the delay has been condoned. Accordingly, for the reasons assigned in the applications for condonation of delay and to advance the cause of substantive justice, the delay deserves to be condoned.

6. Hence, the following order:-

a] The applications stand allowed in terms of prayer clause (B) with a rider that the applicants shall not be entitled

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for the claim of the interest for the delayed period.

b] The delay in preferring the appeals stands condoned.

c] Appeal be registered.

d] Thereafter, issue notice to the respondents, returnable after two weeks. Learned AGP waives service of notice on behalf of respondents/State.

e] Call R & P.

[ANIL L. PANSARE, J.]