

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

949 CIVIL APPLICATION NO.5169 OF 2023
IN FAST/9000/2023

CHHAGAN KARBHARI KAKADE
VERSUS
THE STATE OF MAHARASHTRA & OTHERS

...
Advocate for the applicant : Mr.K.B.Jadhav
AGP for Respondent-State : Mr.K.B.Jadhavar
...

CORAM : ARUN R. PEDNEKER, J.

DATE : 05.09.2023

P.C. :

**A] ORDER IN CIVIL APPLICATION NO.5169 OF
2023 FOR CONDONATION OF DELAY.**

1] None present for the contesting respondents
although served.

2] The learned counsel for the applicant produced
on record copy of the order dated 21st September, 2021
passed in Civil Application No.9379 of 2021 in First Appeal
St.No.22578 of 2021 along with connected matters wherein
identical delay of 5205 days is condoned subject to the
condition that the applicants therein were not entitled to
claim interest or any other monetary benefits for the

delayed period. The learned counsel for the applicant submits that he would not claim interest and monetary benefits for the delayed period.

3] In view of the aforesaid order passed in Civil Application No.9379 of 2021, the present Civil Application is allowed. The delay is condoned subject to the condition that the applicant shall not claim interest or monetary benefits for the delay period. Civil Application is disposed of accordingly.

B] ORDER IN FIRST APPEAL STAMP NO. 9000 OF 2023 :

1] First Appeal is **admitted**. On admission, the learned AGP waives notice for the respondent nos.1 and 2.

2] The appellant to remove all office objections, if any.

3] Call R. & P.

**[ARUN R. PEDNEKER]
JUDGE**

DDC