



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

**918 CIVIL APPLICATION NO. 11839 OF 2022
IN FAST/484/2020**

**NARAYAN HULLAPPA KHANDEKAR (DIED) THR. LRS. SAKHUBAI
AND ORS**

VERSUS

THE STATE OF MAHARASHTRA AND ORS

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Advocate for Applicant : Mr.Tushar Nagarkar h/f. Mr.K.M. Nagarkar

AGP for Respondent nos.1 & 2 : Mr.N.D.Batule

Advocate for Respondent no.3 : Mr.Shrirang Shashishekhar Dande

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CORAM : ABHAY S. WAGHWASE, J.

DATE : 25 JULY, 2025

ORDER :-

1. This application is filed by the applicants / claimants for condonation of delay of 1962 days caused in filing first appeal against the judgment and order dated 23-04-2014 passed by the learned Joint Civil Judge, Senior Division, Kandhar in LAR No.628 of 2007.

2. Learned AGP for respondent nos.1 and 2 and learned Counsel for respondent no.3 opposed application stating that delay is not properly explained. It is further submitted that, if at all this Court is inclined to condone the delay, the statutory benefits may not be granted for the period of delay.

3. For the reasons mentioned in the application and in the interest of justice, delay is required to be condoned. Accordingly, application is allowed. Delay is condoned on the condition that the applicants shall not be entitled for the interest for the period of delay.

4. Accordingly, application is disposed of.

5. Appeal be registered. On registration of appeal, issue notice to the respondents, returnable within four weeks thereafter. Learned AGP waives service of notice for respondent nos.1 and 2. Mr.Dande, learned Counsel waives service of notice for respondent no.3.

(ABHAY S. WAGHWASE)
JUDGE

SPT