



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

**CIVIL APPLICATION NO. 1892 OF 2025  
IN  
FIRST APPEAL STAMP NO. 2289 OF 2025**

Pandhari Gangaram Patil .. Applicant

**Versus**

The State of Maharashtra and others .. Respondents

Ms. Sakshi A. Kale, Advocate h/f Shri Ajeet B. Kale, Advocate for the Applicant.

Shri S. U. Hange, A.G.P. for the Respondent Nos. 1 and 2.

Mrs. Sabahat Kazi, Advocate for the Respondent No. 3.

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 19TH DECEMBER, 2025.**

**FINAL ORDER :**

. Heard both sides.

2. Applicant seeks condonation of delay of 7072 days caused in preferring the first appeal. It is submitted that for the reasons stated in the application the delay deserves to be condoned. The applicant is ready to give up interest and statutory benefits for the delayed period.

3. Learned counsel Mrs. Kazi appearing for the respondent – acquiring body relying on affidavit in reply would submit that the reasons given for condonation of delay are very cryptic and

delay is huge one. In para No. 7 of the reply it has been specifically averred that the ground is not sufficient and reasonable.

4. Learned Assistant Government Pleader supports the respondent – acquiring body.

5. Having considered application and the reply filed by the respondent – acquiring body, I do not find any material to infer that there is any oblique motive on the part of the applicant to prefer appeal belatedly. The delay is huge one, but she is ready to give up the interest and statutory benefits for the delayed period.

6. Besides that both sides have shown their readiness to decide first appeal finally as the issue involved therein is no more *res-integra*. The merits of the matter cannot be a reason for condonation of delay, but considering overall circumstances, I find it appropriate to condone the delay.

7. For the reasons stated above, the civil application is allowed. The delay is condoned on condition that the applicant shall not be entitled to claim interest and statutory benefits for the delayed period. Office shall register the first appeal. The civil application is disposed of.

**[ SHAILESH P. BRAHME J. ]**