



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

**CIVIL APPLICATION NO. 2734 OF 2025
IN
FIRST APPEAL STAMP NO. 4543 OF 2025**

Kondiba Namdeo Karpe .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Ashok R. Tapse, Advocate for the Applicant.
Shri B. A. Shinde, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 18TH JUNE, 2025.**

FINAL ORDER :

. Applicant is seeking condonation of delay of 5184 days caused in preferring first appeal for enhancement. Learned counsel Mr. Tapse for the applicant submits that for the reasons stated in para Nos. 2 to 7, it is desirable to condone the delay. There are no malafides on the part of the applicant. He is ready to give up interest and the statutory benefits for the delayed period.

2. The learned Assistant Government Pleader for the respondent Nos. 1 and 2 opposes the contents of the application and submissions of the applicant. None appears for the respondent No. 3/acquiring body.

3. There is no reason to doubt the contents of the application. Although the delay is huge, the applicant is ready to forego the interest and statutory benefits for the delayed period. The applicant is agriculturist and he has lost his land and source of income. It is desirable to adopt pragmatic view. The civil application is allowed in terms of prayer clause 'B'. However, the applicant shall not be entitled to claim interest and statutory benefits for the delayed period. The applicant shall deposit an amount of Rs. 1,250/- (Rs. One thousand Two hundred fifty only) with the office of the High Court Advocates Bar Association, Aurangabad within a period of four (04) weeks from today. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/June 25