



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

**CIVIL APPLICATION NO. 3986 OF 2024
IN FAST/5255/2024**

YAMUNABAI JANARDHAN SHIRSAT

VERSUS

**THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR JALNA AND ORS.**

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Advocate for Applicant : Mr. Pingale Durgesh M
AGP for Respondent Nos. 1 and 2 : Mr. D.B. Bhange

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CORAM : SHAILESH P. BRAHME, J.

DATE : 24th JULY 2025

PER COURT :

1. Heard Learned Counsel Mr. Durgesh Pingale for Applicant and the learned AGP for Respondent Nos. 1 and 2. None appears for Respondent No.3.

2. Applicant is seeking condonation of delay of 1848 days in presenting Appeal challenging compensation awarded by the Reference Court. Delay is sought to be condoned on the grounds stated in Paragraph Nos. 4 to 8. It is submitted that there are no malafides on part of the Applicant in approaching this Court belatedly. Learned Counsel for the Applicant has also on instructions shown readiness to give up interest and the statutory benefits for the delayed period.

3. Learned AGP would counter the submissions by relying

upon affidavit-in-reply. It is submitted that delay is inordinate and has not been explained properly.

4. Having considered rival submissions of the parties, I find that the contesting party has not controverted the application for condonation of delay. Though the appeal was filed belatedly on or about 05.02.2024, application for condonation of delay could be heard for the first time on 17.01.2025. The lapses on the part of the Applicant needs to be taken into account. As the Applicant has lost the source of income, I propose to adopt the pragmatic view by condoning delay on certain conditions.

5. Civil Application is partly allowed by condoning delay of 1848 days on condition that Applicant shall not be entitled to interest and statutory benefits for the delayed period as well as for the period of lapses ranging from 05.02.2024 till 17.01.2025.

SHAILESH P BRAHME
JUDGE

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