



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

80 CIVIL APPLICATION NO. 2776 OF 2025
IN FAST/6813/2025

RAMBHAU HIRAMAN PANDHRE AND ANR

VERSUS

THE STATE OF MAHARASHTRA, THROUGH THE COLLECTOR, CHH.
SAMBHAJINAGAR AND ORS

...

Advocate for Applicant : Mr. N. J. Pahune Patil
AGP for Respondent Nos. 1 to 3 : Mrs. M.N. Ghanekar

...

CORAM : SHAILESH P BRAHME, J.

DATE : 03.11.2025

PER COURT :

The applicants seek to condone delay of 3978 days in preferring appeal for enhancement of the compensation.

2. The learned counsel for the applicants submits that the respondent-contesting party has not filed any affidavit in reply. The delay deserves to be condoned for the reasons stated in the application. There are no *mala fides* on the part of the applicants in preferring appeal belatedly.

3. The learned A.G.P. again seeks time to file reply. It is submitted that the delay is inordinate and one opportunity be granted to contest the application. It is submitted that, the reasons are not properly explained and application is liable to be rejected.

4. I have considered the rival submissions of the parties. Sufficient opportunity was given to the respondent-acquiring body to file a reply. The averments are uncontroverted. No *mala fides* can be seen from the application on the part of the applicants. It would be pragmatic to allow the

application on certain conditions to deal with the appeal on its own merits.

5. The delay stands condoned on condition that the applicants shall not be entitled to claim interest and the statutory benefits for the delayed period.

(SHAILESH P. BRAHME, J.)

mkd/-