



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 CIVIL APPLICATION NO. 6466 OF 2023
IN FAST/9634/2023

BABASAHEB SAHEBRAO KENDHALE
VERSUS
THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
JALNA AND OTHERS

...
Advocate for Applicant : Mr. Kakde Shubham Madhavrao.
AGP for Respondent/s-State : Mrs. M. N. Ghanekar.
Advocate for Respondent No.3 : Adv. M. S. Jagtap-Ware.
...

CORAM : SHAILESH P. BRAHME, J.
DATE : 17.11.2025

PER COURT :-

1. Heard both sides.
2. There is delay of 2668 days which is sought to be condoned.
3. For the reasons stated in the application and as the Co-ordinate Bench condoned the delay on certain conditions in Civil Application No.451 of 2023 in FAST.No.29324 of 2022, the delay is sought to be condoned.
4. Learned counsel for the respondents opposes the application. It is submitted that no satisfactory explanation is given in the application. The averments of the application have not been controverted. There is nothing on record to infer any malafide on the part of the applicant. Applicant shall not be

entitled to the benefits for the delayed period as well as lapses. First order is solicited on 26.10.2023 when application was filed on 14.03.2023 causing lapses for seven months.

5. Civil application is partly allowed condoning delay of 2668 days on condition that applicant shall not be entitled to the statutory benefits and the interest for the delayed period as well as for the lapses referred above.

First Appeal

6. **Admit.**

7. Learned AGP waives service of notice for respondents-State. Learned counsel Jagtap-Ware waives service of notice for respondent No.3.

8. Call for Record and Proceedings from the concerned Court.

9. Print is dispensed with.

10. The applicant shall not be entitled to the statutory benefits and the interest for the delayed period as well as for the lapses referred above.

(SHAILESH P. BRAHME, J.)

...

vmk/-