



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

917 CIVIL APPLICATION NO. 5556 OF 2025  
IN FAST/9586/2025

SHIVDAS VAIJANATH BIRADAR AND ANR  
*VERSUS*  
THE STATE OF MAHARASHTRA, THROUGH COLLECTOR  
LATUR AND ORS

WITH

CIVIL APPLICATION NO. 5557 OF 2025  
IN FAST/9590/2025

...  
Advocate for Applicants in both : Mr. Kale Netaji Ganpatrao.  
AGP for Respondent/s-State in both : Mr. B. A. Shinde.  
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CORAM : SHAILESH P. BRAHME, J.  
DATE : 13.06.2025

**PER COURT :-**

1. Heard both the sides.
2. Issue notice to the respondents, returnable on 11.07.2025.
3. Learned AGP waives service of notice for the respondents/State.
4. Learned counsel Mr. Kale appearing for applicants submits that for the reasons stated in paragraph Nos.3 and 4,

delay of 1027 days in both the appeals needs to be condoned.

5. Considering the financial position of the applicants who are the claimants/agriculturists, it is desirable to condone the delay and hear the first appeals on merits. It is submitted that there are no malafides on the part of the applicants.

6. Learned AGP opposes the submissions. He would submit that no proper explanation has been tendered.

7. I have considered rival submissions of the parties and I have also gone through contents of the applications disclosing grounds for condonation of delay.

8. I do not find that there are malafides on the part of the applicants.

9. Applicants are ready to forego interest and statutory benefits for the delayed period. In that view of the matter, it is desirable to condone the delay.

10. Civil applications are allowed in terms of prayer clause "B" on condition that the applicants shall not be entitled to interest and statutory benefits in case of enhancement of the compensation.

11. Office is directed to register first appeals.

**(SHAILESH P. BRAHME, J.)**

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vmk/-