

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

17 CIVIL APPLICATION NO. 4777 OF 2024
IN FAST/10176/2024

MAHABALESHWAR MALIKARJUN TODKARI

VERSUS

THE STATE OF MAHARASHTRA THR. COLLECTOR OSMANABAD AND
ORS.

...

Advocate for Applicant : Mr. Ingale Vivekanand V.

AGP for Respondent nos. 1 & 2 : Mr. S.V. Hange

...

CORAM : SHAILESH P BRAHME, J.

DATE : 26.11.2025

PER COURT :

None appears for respondent no. 3. Learned A.G.P. appears for respondent nos. 1 and 2.

2. The applicant seeks condonation of delay of 3238 days in preferring appeal. The averments in the application have not been controverted. There are no *mala fides* on the part of the applicant in preferring the appeal belatedly. The appeal was filed on 28.03.2024 with application for condonation of delay. It is circulated for first order on 20.12.2024. The lapses of about 9 months are attributable to the applicant.

3. For the reasons stated in the application, delay stands condoned on condition that the applicant shall not be entitled to claim interest and statutory benefits for the delayed period as well as for the lapses from 28.03.2024 to 20.12.2024.

4. The Civil Application is disposed of.

FIRST APPEAL (STAMP)

Admit. Learned A.G.P waives service for respondent nos. 1 and 2.

2. Call for record and proceedings.
3. Print is dispensed with.
4. The appellant shall not entitled to claim interest and statutory benefits for the delayed period as well as for the period of lapses.

(SHAILESH P. BRAHME, J.)

mkd/-