



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

**951 CIVIL APPLICATION NO. 6107 OF 2024
IN FAST/13771/2024**

**BAPURAO NARAYAN MOGAL DIED THR LRS
ASRABAI BAPURAO MOGAL AND ORS**

VERSUS

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

AND

**952 CIVIL APPLICATION NO. 6109 OF 2024
IN FAST/13768/2024**

PRABHU SHANKAR AMRUTSAGAR

VERSUS

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

...

**953 CIVIL APPLICATION NO. 6110 OF 2024
IN FAST/13795/2024**

MANIKRAO NARAYAN MOGAL

VERSUS

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

...

**954 CIVIL APPLICATION NO. 6112 OF 2024
IN FAST/13782/2024**

RAMESHWAR NARAYAN MOGAL

VERSUS

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

...

**955 CIVIL APPLICATION NO. 6115 OF 2024
IN FAST/13790/2024**

RAJU ULHAS MOGAL

VERSUS

THE STATE OF MAHARASHTRA

THROUGH THE COLLECTOR JALNA AND ORS.

...

956 CIVIL APPLICATION NO. 6117 OF 2024
IN FAST/13785/2024
SHIVAJI NARAYAN MOGAL

VERSUS

THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR JALNA AND ORS.

...

957 CIVIL APPLICATION NO. 6146 OF 2024
IN FAST/13299/2024
BAPURAO MUGAJI MATE DIED THR LRS
TULSABAI B. MATE AND ORS

VERSUS

THE STATE OF MAHARASHTRA THR
THE DISTRICT COLLECTOR OFFICE JALNA AND ORS

...

958 CIVIL APPLICATION NO. 6147 OF 2024
IN FAST/13310/2024
SHRIRAM MUGAJI MATE

VERSUS

THE STATE OF MAHARASHTRA THR
THE COLLECTOR, COLLECTOR OFFICE JALNA AND ORS

...

959 CIVIL APPLICATION NO. 6150 OF 2024
IN FAST/13331/2024
NAMDEV MUGAJI MATE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR,
COLLECTOR OFFICE, JALNA AND ORS

...

960 CIVIL APPLICATION NO. 8761 OF 2024
IN FAST/13335/2024
DNYANOBA MUGAJI MATE

VERSUS

THE STATE OF MAHARASHTRA THROUGH
COLLECTOR, COLLECTOR OFFICE, JALNA AND ORS

...

961 CIVIL APPLICATION NO. 8776 OF 2024
IN FAST/13780/2024
VITTHAL PRABHU AMRUTSAGAR
VERSUS
THE STATE OF MAHARASHTRA
THROUGH THE COLLECTOR JALNA AND ORS.

...

970 CIVIL APPLICATION NO. 11272 OF 2024
IN FAST/20847/2024
ULHAS BAJIRAO MOGAL (DIED)
THR. LRS. KAUSHALYA ULHAS MOGAL
VERSUS
THE STATE OF MAHARASHTRA
THROUGH COLLECTOR JALNA AND ORS

...

976 CIVIL APPLICATION NO. 13250 OF 2024
IN FAST/17216/2024
MAHADEV (BABARAO) NARAYAN MOGAL DIED
THR LRS TARAMATI BABARAO MOGAL AND ORS
VERSUS
THE STATE OF MAHARASHTRA THROUGH
THE COLLECTOR JALNA AND ORS.

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Advocate for Applicants : Mr. Kakde S.M.

AGP for Respondent Nos. 1 to 3 in CA-6107-2024, CA-6110-2024,
CA-6115-2024, CA-6146-2024, CA-6150-2024 and CA-8776-2024 :
Mr. B.A. Shinde

AGP for Respondent Nos. 1 to 3 in CA-6109-2024, CA-6112-2024,
CA-6117-2024, CA-6147-2024, CA-8761-2024, CA-11272-2024 and
CA-13250-2024 : Mr. D.B. Bhangre

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CORAM : SHAILESH P. BRAHME, J.

DATE : 26th JUNE 2025

PER COURT :

1. A common order can be passed in these matters.

2. Learned Counsel for the Applicants has tendered relevant details in a tabular form which is as follows :

Sr.No	Particulars	CA.No	No of Days delay	Date of filing	Date of 1 st order date
951	Bapurao Narayan Mogal (Died)The Ir's V/s The State of Maharashtra.	CA/6107/2024	2312	09/05/2024	21/03/2025
952	Prabhu Shankar Amrutsagar v/s The State of Maharashtra.	CA/6109/2024	2243	09/05/2024	21/03/2025
953	Manikrao Narayan Mogal V/s The State of Maharashtra.	CA/6110/2024	2311	09/05/2024	21/03/2025
954	Rameshwar Narayan Mogal V/s The State of Maharashtra.	CA/6112/2024	2307	09/05/2024	21/03/2025
955	Raju Ulhas Mogal V/s The State of Maharashtra.	CA/6115/2024	2249	09/05/2024	21/03/2025
956	Shivaji Narayan Mogal V/s The State of Maharashtra.	CA/6117/2024	2306	09/05/2024	21/03/2025
957	Bapurao Mugaji Mate (died) the Irs V/s The State of Maharashtra.	CA/6146/2024	2247	04/05/2024	21/03/2025
958	Shriram Mugaji Mate V/s The State of Maharashtra.	CA/6147/2024	2246	04/05/2024	21/03/2025
959	Namdev Mugaji Mate V/s The State of Maharashtra.	CA/6150/2024	2280	04/05/2024	21/03/2025
960	Dnyanoba Mugaji MateV/s The State of Maharashtra.	CA/8761/2024	2269	04/05/2024	21/03/2025
961	Vithal Prabhu Amrutsagar V/s The State of Maharashtra.	CA/8776/2024	2248	09/05/2024	21/03/2025
970	Ulhas Bajirao Mogal (died) the Irs V/s The State of Maharashtra	CA/11272/2024	2313	02/08/2024	21/03/2025
976	Mahadev (Baburao) Narayan Mogal V/s The State of Maharashtra.	CA/13250/2024	2374	28/06/2024	21/03/2025

3. Applicants are original Claimants who have filed appeals for enhancement belatedly. The delay caused in each appeal has been mentioned in the above table. They are seeking condonation of delay relying on paragraph nos. 2 to 10 of the applications.

4. It is submitted by learned Counsel that there are no malafides for causing the delay. Applicants are ready to forgo interest and the statutory benefits for the delayed period.

5. Learned AGP vehemently opposes the submissions and the applications. He would rely on the affidavit-in-reply. It is submitted that no adequate explanation has been given for condonation of delay.

6. I have considered rival submissions of the parties. The grounds stated in above referred paragraphs, cannot be discarded. I do not find that there are any malafides on part of the Applicants to approach this Court belatedly. If they are ready to forgo interest and statutory benefits for the delayed period, a pragmatic approach is to condone delay and deal appeals on merits.

7. At the same time, it is relevant to notice that there are lapses on the part of Applicants in securing first orders in applications for condonation of delay by circulating the same. They cannot take benefits of the period of lapses. For that purpose, I find it appropriate to deprive them for 50% of the above benefits for the period from date of filing till date of first order.

8. Civil Applications are allowed in terms of prayer clause 'A' on condition that Applicants shall not be entitled to interest and the statutory benefits for the delayed period and additionally they shall

not be entitled to 50% of above benefits for their lapses i.e. from date of filing of the applications to date of first order.

SHAILESH P BRAHME
JUDGE

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