



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.1681 OF 2022
IN
FIRST APPEAL (ST)/15605/2021

Murlidhar Hiranman Bhangale ... Applicant

Versus

The Collector, Jalgaon, Dist. Jalgaon and Ors. ... Respondents

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Advocate for Applicant : Mr.Vinayak Dahihande h/f. Mr. A. B. Kale
AGP for Respondents - State : Mr. D. R. Korade
Advocate for Respondent No.4 : Mr. D. D. Pokharkar

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 17 OCTOBER 2025

PER COURT :

1. Present application is for condonation of delay of 549 days caused in filing appeal against judgment and award passed by the Joint Civil Judge Senior Division, Jalgaon in LAR No.151 of 2016.

2. Learned counsel for applicant pointed out that, reasons for delay are spelt out in paragraph nos.2 to 4 of the application and stated that there is no deliberate and intentional delay. That, there is a good case in appeal and therefore, in the interest of justice and fair opportunity, delay so caused is sought to be condoned.

3. Learned AGP for the respondents - State as well as learned counsel for respondent no.4 strongly opposed the application pointing out that there is no plausible explanation for the delay and applicant is not entitled for interest and statutory benefits for the delayed period.

4. For the reasons mentioned in civil application, more particularly, in paragraph nos. 2 to 4 and in the interest of justice and fair opportunity, delay so caused is required to be condoned. At the same time, the applicant shall not be entitled for the amount of interest for the delayed period. Hence, the following order is passed :-

ORDER

- (i) The application is allowed.
- (ii) The applicant/original claimant shall furnish undertaking that he would not claim the statutory benefits as well as the amount of interest for the delayed period.
- (iii) Registry is directed to register the Appeal.
- (iv) In First Appeal, issue notice to the respondents, returnable within eight weeks. Learned AGP waives service of notice on behalf of respondents – State. Learned counsel Mr. D. D. Pokharkar waives service of notice on behalf of respondent no.4.

(ABHAY S. WAGHWASE, J.)