



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

20 CIVIL APPLICATION NO. 6942 OF 2023
IN FAST/14978/2023

NAMDEV HARIBHAU KAKDE

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR
JALNA AND ORS

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Advocate for Applicant : Mr. Kakade Deepak M.
AGP for Respondents-State : Mr. S. V. Hange.
Advocate for Respondent No.3 : Mr. Survase B. R.

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CORAM : SHAILESH P. BRAHME, J.
DATE : 16.12.2025

PER COURT :-

1. Heard the learned counsels for the respective parties.
2. Applicant seeks to condone delay of 4009 days in preferring first appeal.
3. Learned counsel for the applicant prays for condonation of delay. He would submit that his client is ready to give up interest and statutory benefits for the delayed period.
4. The respondent/acquiring body opposes the application.
5. No reply is filed to challenge the contents of the application. There is nothing on record to infer any malafide on the part of the applicant. The applicant is ready to give up interest and statutory benefits for the delayed period. It reveals

that application along with appeal filed on 02.05.2023 was not circulated till 29.04.2024. These lapses are attributable to the applicant.

6. Delay stands condoned on condition that applicant shall not be entitled to interest and statutory benefits for the delayed period as well as for the period of lapses.

7. Civil application for delay is allowed.

First Appeal

8. **Admit.**

9. Learned AGP waives service of notice for respondents-State. Learned counsel Mr. Survase waives service of notice for respondent/claimant.

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

11. Print is dispensed with.

12. The appellant shall not be entitled to interest and statutory benefits for the delayed period as well as for the period of lapses.

(SHAILESH P. BRAHME, J.)

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vmk/-