



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

**19 CIVIL APPLICATION NO. 10164 OF 2023  
IN FAST/15723/2023**

**GOPA MANSING CHAUHAN DIED THR LRS MOHAN GOPA  
CHAUHAN**

**VERSUS**

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

**AND**

**20 CIVIL APPLICATION NO. 10471 OF 2023  
IN FAST/15800/2023**

**ANKUSH BABARAO RATHOD**

**VERSUS**

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

**WITH CIVIL APPLICATION NO. 10472 OF 2023 IN  
FAST/15804/2023 WITH CIVIL APPLICATION NO. 10473 OF  
2023 IN FAST/15802/2023**

**AND**

**21 CIVIL APPLICATION NO. 10559 OF 2023  
IN FAST/15795/2023**

**BHARAT BABASAHEB RATHOD**

**VERSUS**

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

**WITH CIVIL APPLICATION NO. 10560 OF 2023 IN  
FAST/15793/2023 WITH CIVIL APPLICATION NO. 10561 OF  
2023 IN FAST/15797/2023**

**AND**

**69 CIVIL APPLICATION NO. 11958 OF 2024  
IN FAST/11694/2024**

**VILASH KISANRAV GADDE AND ORS**

**VERSUS**

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

**WITH CIVIL APPLICATION NO. 11959 OF 2024  
IN FAST/11694/2024**

AND

**70 CIVIL APPLICATION NO. 11965 OF 2024  
IN FAST/11698/2024**

NAYABRAO ASHRUBA VIDHATE DIED THR LRS SAVITRABAI  
NAYABRAO VIDHATE AND ORS

**VERSUS**

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR  
JALNA AND ORS.

**WITH CIVIL APPLICATION NO. 11964 OF 2024  
IN FAST/11698/2024**

...

Advocate for Applicants in all : Mr. Kakde S. M.  
AGPs for Respondent/s-State : Mr. N. R. Dayma, Mrs. M. N.  
Ghanekar, Mr. S. V. Hange, respectively.

...

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 11.11.2025**

**PER COURT :-**

1. Learned counsel tenders on record a chart giving material particulars which is to form part of minutes of the order.

| Sr. No. | Particulars                                            | CA. No.       | No. of Days delay | Date of filing | Date of 1 <sup>st</sup> order date |
|---------|--------------------------------------------------------|---------------|-------------------|----------------|------------------------------------|
| 19      | Gopa Mansing Chauhan died Vs. The State of Maharashtra | CA/10164/2023 | 2468              | 15/05/2023     | 12/07/2024                         |
| 20      | Ankush Babarao Rathod Vs. The State of Maharashtra     | CA/10471/2023 | 2343              | 16/05/2023     | 12/07/2024                         |
|         | Babarao Ramchandra Rathod Vs. The State of Maharashtra | CA/10473/2023 | 2343              | 16/05/2023     | 12/07/2024                         |

|    |                                                                |               |      |            |            |
|----|----------------------------------------------------------------|---------------|------|------------|------------|
|    | Kausabai Rupla<br>Rathod V/s The<br>State of<br>Maharashtra    | CA/10472/2023 | 2343 | 16/05/2023 | 12/07/2024 |
| 21 | Bharat Babasaheb<br>Rathod V/s The<br>State of<br>Maharashtra  | CA/10559/2023 | 2468 | 15/05/2023 | 12/07/2024 |
|    | Kamal Babasaheb<br>Rathod V/s The<br>State of<br>Maharashtra   | CA/10560/2023 | 2468 | 15/05/2023 | 12/07/2024 |
|    | Sheshrao Prabhu<br>Pawar V/s The<br>State of<br>Maharashtra    | CA/10561/2023 | 2468 | 15/05/2023 | 12/07/2024 |
| 69 | Vilash Kisanrav<br>Gadde V/s The<br>State of<br>Maharashtra    | CA/11959/2024 | 1938 | 18/04/2024 | 12/02/2025 |
| 70 | Nayabrao Ashruba<br>Vidhate V/s The<br>State of<br>Maharashtra | CA/11965/2024 | 2085 | 18/04/2024 | 12/02/2025 |

2. Applicants seek to condone the delay ranging from 1938 to 7451 days.

3. For the reasons stated in the applications, the delay is sought to be condoned. It is contended that there is no oblique motive in preferring the appeals belatedly.

4. Learned AGPs oppose the applications.

5. In the matters at Serial Nos.69 and 70, reply has been filed by the respondent/State. The allegations are uncontroverted in respect of first three matters.

6. I find no reasons to infer any malafides on the part of the applicants in preferring appeals belatedly. The reasons stated in the applications are uncontroverted in the matters referred above. It is desirable to condone the delay. The applicants are ready to give up interest and statutory benefits for the delayed period.

7. It is noticed that applicants consumed the time in circulating the applications for the first order, the lapses on their part.

8. Civil applications for delay are allowed. Delay stand condoned on the condition that applicants shall not be entitled to interest and statutory benefits for the delayed period as well as period of lapses from the date of filing applications to date of first order.

**Civil Application No.11958 of 2024**

9. Applicants seek to bring legal heirs of deceased applicant No.2 Kisan on record. Applicant No.1 is a son who is already on record. The applicants are permitted to carry out formality of amending the title clause.

10. Civil application is allowed and applicant No.1 shall be treated as legal heir of applicant No.2.

11. The delay stands condoned. Civil application is allowed.

**Civil Application No.11964 of 2024**

12. Applicants seek to condone delay, setting aside abatement and bringing legal heirs of deceased applicant No.1 Nayabrao Ashruba Vidhate on record. The cause of action survives against the legal heirs of applicant No.1.

13. The cause of action survives against legal heirs of applicant No.1.

14. For the reasons stated in the application, it is desirable to condone the delay and permit the applicants to substitute the deceased/applicant.

15. Civil application is allowed in terms of prayer clauses "A" and "B".

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

...

vmk/-