



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

78 CIVIL APPLICATION NO. 13268 OF 2024
IN FAST/15312/2024

WITH

CIVIL APPLICATION NO. 13269 OF 2024
IN FAST/15316/2024

WITH

CIVIL APPLICATION NO. 13270 OF 2024
IN FAST/15320/2024

VITTHAL SANDU SORMARE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR JALNA AND
ORS.

...

Advocate for Applicant : Mr. Pingale Durgesh M.

AGP for Respondents : Mrs. M.N. Ghanekar

CORAM : SHAILESH P. BRAHME, J.

DATE : 03.11.2025

PER COURT :

Heard both sides. The applicants seek condonation of delay 4103 days in preferring appeals for enhancement of compensation.

2. The learned counsel for the applicants submits that for the reasons stated in the applications, delay needs to be condoned. There are no *mala fides* on the part of the applicants. They have meritorious case and they have been discriminated against in awarding the compensation.

3. The learned A.G.P. opposes the applications by relying on affidavit in reply. It is submitted by the learned A.G.P. that the grounds stated in the applications for condonation of delay cannot be accepted. Those are not convincing and liberal approach cannot be adopted.

4. I have considered the rival submissions of the parties. I find that

there are no *mala fides* on the part of the appellants in preferring appeals belatedly. The applicants are deprived of just and reasonable compensation, *prima facie* I propose to adopt a pragmatic approach in condoning the delay by putting certain terms.

5. The Civil Applications are allowed. The delay stands condoned on condition that the applicants shall not be entitled to claim interest and statutory benefits for the delayed period as well as for the period from 10.06.2024 (filing of the application) and 24.07.2025 (first order).

(SHAILESH P. BRAHME, J.)

mkd/-