



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**CIVIL APPLICATION NO. 1689 OF 2022
IN FAST/19333/2021**

ASHITOSH RAJABHAU JAGTAP AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR,
OSMANABAD AND OTHERS

.....
Advocate for Applicant : Mr. Abhijit S. More
AGP for Respondent Nos.1 and 2 - State : Mr. S. P. Joshi
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**CORAM : ABHAY S. WAGHWASE, J.
DATED : 29 SEPTEMBER 2025**

PER COURT :

1. Present application is for condonation of delay of 425 days caused in filing appeal against judgment and award passed by the learned Reference Court in L.A.R. No.668 of 2015.
2. Learned Advocate for applicants pointed out that, reasons for delay are spelt out in civil 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 respondents - State raised objections to condone the delay and submit that applicants are not entitled for amount of interest for the delayed period.

4. For the reasons mentioned in civil application, more particularly, in paragraph nos. 2 and 3 and in the interest of justice and fair opportunity, delay so caused is required to be condoned. At the same time, the applicants 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 applicants/original claimants shall furnish undertaking that they would not claim for 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 respondent Nos.1 and 2.

(ABHAY S. WAGHWASE, J.)