



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

21 CIVIL APPLICATION NO. 10573 OF 2023
IN FAST/20143/2023

BABARAO RAMRAO WAYAL

VERSUS

THE STATE OF MAHARASHTRA THR THE COLLECTOR, JALNA AND ORS

...

Mr. S. M. Kakde, Advocate for Applicant

Mrs. M. N. Ghanekar, AGP for Respondents-State

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 27.11.2025

PER COURT :-

. Heard.

2. Applicant seeks to condone the delay of 395 days in filing the First Appeal.

3. Learned AGP opposes the application.

4. The averments of the application have not been traversed. There is no reason to doubt bonafides of the applicant. It is desirable to condone the delay on certain conditions. It is noticed that appeal and application were filed on 27.06.2023 and 28.06.2023 respectively and circulated for the first time on 26.09.2024. The applicant is responsible for the lapses.

5. For the reasons stated in the application, Civil Application is allowed. The delay stands condoned subject to condition that the applicant shall not be entitled to the interest and statutory benefit for the delayed period as well as for the period of lapses i.e. 27/28.06.2023 to 26.09.2024.

FIRST APPEAL

. **Admit.**

2. Learned AGP waives service of notice for respondents-State.

3. Call for Record and Proceeding. Print is dispensed with.

4. The appellant shall not be entitled to the interest and statutory benefit for the delayed period as well as for the period of lapses i.e. 27/28.06.2023 to 26.09.2024.

(SHAILESH P. BRAHME, J.)