



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

14 CIVIL APPLICATION NO. 9146 OF 2024
IN FAST/18882/2024

KACHRU GOPINATH MADAN (DIED) THR. LRS. KASABAI G. MADAN AND
ORS

VERSUS

THE STATE OF MAHARASHTRA THROUGH COLLECTOR JALNA AND ORS

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Mr. V. D. Bhise, Advocate for Applicants

Mr. N. R. Dayma, AGP for Respondents-State

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CORAM : SHAILESH P. BRAHME, J.

DATE : 12.11.2025

PER COURT :-

1. Heard.
2. Applicants seek to condone the delay of 742 days in filing the First Appeal. None appears for the contesting respondent no.2. Learned AGP appears for respondent nos.1 and 3.
3. The averments in the application have not been traversed by the respondents. Respondent no.2 has not caused any appearance. No malafides can be inferred from the averments of the application. It is desirable to condone the delay by imposing certain conditions.
4. Civil Application is allowed and the delay is condoned on the

condition that the applicants shall not be entitled to the interest and statutory benefit for 742 days and they shall not be further entitled to the above benefits for further lapses i.e. from 23.04.2024 till 05.09.2024.

FIRST APPEAL STAMP NO.18882 OF 2024

1. **Admit.**
2. Learned AGP waives service of notice for respondent nos.1 and 3.
3. Call for Record and Proceeding. Print is dispensed with.
4. Applicants shall not be entitled to the interest and statutory benefit for the delayed period as well as lapses i.e. from 23.04.2024 till 05.09.2024.

(SHAILESH P. BRAHME, J.)