



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

FIRST APPEAL NO. 419 OF 2006

Telecom District General Manager (B S N L) Dhule

VERSUS

Chandrakant Ambadasrao Wani And Ors

...

Mr. V. D. Sonawane and Mr. A. G. Talhar, Advocates for Appellant

Mr. D. J. Patil, AGP for Respondent-State

Mr. A. R. Devkate, Advocate for Respondent no.1

...

WITH

CIVIL APPLICATION NO. 1751 OF 2016 IN FAST/21689/2015

Chandrakant Ambadas Wani

VERSUS

The State Of Maharashtra And Others

...

Mr. A. R. Devkate, Advocate for Applicant

Mr. D. J. Patil, AGP for Respondent-State

Mr. V. D. Sonawane, Advocate for Respondent no.3

WITH

CIVIL APPLICATION NO. 5500 OF 2008 IN FA/419/2006

CORAM : SANJAY A. DESHMUKH, J.

DATED : 18th DECEMBER, 2025

PER COURT :-

1. Learned Advocate Mr. A. G. Talhar submitted that Mr. V. D. Sonawane, learned Advocate is on the panel of the appellant. He therefore seeks discharge of his appearance from the present matter.
2. Appearance of Mr. A. G. Talhar is discharged.

CIVIL APPLICATION NO. 1751 OF 2016

1. This is an application for condonation of delay of 3423 days caused in filing the First Appeal.
2. Perused the application. Heard learned Advocates for both the sides.
3. Learned Advocate for the applicant submitted that applicant is an old aged agriculturist person having no knowledge of law and he had not deliberately caused the delay for filing appeal. He therefore prayed to condone the delay in the interest of justice.
4. Learned Advocate for the respondent strongly opposed the application and submitted that there is no sufficient reason to condone the delay as contemplated under Section 5 of the Limitation Act. He submitted that huge delay cannot be condoned liberally unless there is plausible explanation. He further pointed out that the applicant has withdrawn the amount deposited by the appellant in this Court from time to time, and thereafter this application is filed. He lastly submitted to reject the appeal.
5. Upon perusal of the application, it appears that delay is not deliberately caused. Applicant is an old aged agriculturist. Therefore, in the interest of justice, the application deserves to be allowed on imposing certain conditions. Hence, the following order:

ORDER

- a. Civil Application is allowed.
 - b. Delay of 3423 days caused in filing the First Appeal is hereby condoned on condition that in the event of allowing the appeal by enhancing the amount of compensation, the applicant shall not be entitled for the statutory benefits like interest etc.
 - c. Civil Application stands disposed of.
6. Learned Advocate Mr. V. D. Sonawane, seeks time to argue the matter.
 7. Stand over to 13.01.2026, for final hearing, high on board.

(SANJAY A. DESHMUKH, J.)