



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

980 CIVIL APPLICATION NO. 9342 OF 2024

IN FAST/19662/2024

SHIVLAL @ SHIVDAS KONDIBA KOLEKAR AND ORS

VERSUS

THE STATE OF MAHARASHTRA THR. COLLECTOR DHARASHIV AND ORS.

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Advocate for Applicant : Mr. Deshmukh Vivekanand B.

AGP for Respondent no. 1 : Mr. D.B. Bhange

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CORAM : SHAILESH P BRAHME, J.

DATE : 05.08.2025

PER COURT :

Heard learned advocate for the applicant, the learned A.G.P. for respondent nos. 1 and 2. None appears for respondent no. 3.

2. The applicant seeks to condone delay of 2552 days in preferring the appeal for enhancement of the compensation.

3. The learned A.G.P. opposes the application.

3. Respondent no. 3-contesting party, has neither caused any appearance nor contested the averments of the application. I do not find that there are any *mala fides* on the part of the appellant in filing the appeal belatedly. For the reasons stated in the application, it is desirable to condone the delay. However, the applicant shall not be entitled to claim interest and statutory benefits for the delayed period.

4. The civil application is allowed and delay stands condoned on condition that the applicant shall not be entitled to claim interest and statutory benefits for the delayed period.

(SHAILESH P. BRAHME, J.)

mkd/-