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43-CA-10437-2024

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

43 CIVIL APPLICATION NO. 10437 OF 2024  
IN FAST/20246/2024

Baburao Govardhan Jadhav

VERSUS

The State Of Maharashtra Thr The Collector, Osmanabad And Ors.

WITH

CIVIL APPLICATION NO. 10444 OF 2024  
IN FAST/20349/2024

WITH

CIVIL APPLICATION NO. 10443 OF 2024  
IN FAST/20352/2024

WITH

CIVIL APPLICATION NO. 10442 OF 2024  
IN FAST/20358/2024

WITH

CIVIL APPLICATION NO. 10438 OF 2024  
IN FAST/20362/2024

WITH

CIVIL APPLICATION NO. 10441 OF 2024  
IN FAST/20355/2024

...

Mr. B. K. Pawar h/f Mr. Ajeet B. Kale, Advocate for Applicant.

Mr. R. B. Dhaware, AGP for Respondent-State.

CORAM : KISHORE C. SANT, J.

DATE : 29<sup>th</sup> SEPTEMBER 2025.

PC :-

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1. Heard the learned Advocates for the parties.
2. All these civil applications are filed seeking condonation of delay of 3694 days caused in filing the first appeal challenging the common judgment and order.
3. Mr. Kale, the learned Advocate for the applicants relies upon the judgment and order in the case of *Suresh Kumar Vs. State of Haryana and Ors.*<sup>1</sup> in this case, the Hon'ble Apex Court by relying upon the judgment in the case of *Dhiraj Singh (Dead) Through L.Rs. and Others v. State of Haryana and Others*<sup>2</sup> and held that the appeal of the claimants be liberally seen as these are appeals by the persons who have lost their land and some cases are seeking new source. However, the only condition is that the claimants in such cases shall not be entitled to receive statutory benefits and interest for the delayed period.
4. The learned AGP opposed the application. He submits that delay is more than 10 years. No sufficient reason is shown to condone the delay.
5. For the reason stated in the applications, delay stands condoned.

1 2025 LJSoft (SC) 470

2 2014 (14) SCC 127

Applications are allowed. Office to register first appeals.

6. With this, application stands disposed off.

**FIRST APPEAL**

7. Heard.

8. Admit.

9. Call for record and proceedings.

10. Learned AGP waives for respondent Nos. 1 and 2.

11. Matter be taken alongwith First Appeal filed by the State Government/Acquiring Body challenging the same judgment and award if any.

**[KISHORE C. SANT, J.]**