



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

946 **CIVIL APPLICATION NO. 14060 OF 2022**
IN FAST/21299/2022

DNYANDEV APPA BORADE

VERSUS

THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR, JALNA
AND OTHERS

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Advocate for Applicant : Mr. Firoj Shirpurkar h/f. Mr. More Kumar Gaurav M.
AGP for Respondent - State : Mrs. A. S. Korade.
Advocate for Respondent No.3 : Mr. Nishant P. Pandit h/f. Mr. Vinod Patil.

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 24 SEPTEMBER 2025

PER COURT :

1. Present application is for condonation of delay of 2119 days caused in filing appeal against judgment and award passed by the Joint Civil Judge, Senior Division, Jalna in L.A.R. No.200 of 2012.
2. Learned Advocate for applicant pointed out that, reasons for delay are spelt out in civil application and stated that there is no deliberate and intentional delay. That, there is a good case in appeal and therefore, in the interest of justice and fair opportunity, delay so caused is sought to be condoned.
3. Learned AGP as well as learned Advocate for respondent no.3 raised objections to condone the delay and submit that applicant is not entitled for amount of interest for the delayed period.

4. For the reasons mentioned in civil application, more particularly, in paragraph nos. 5 to 7 and in the interest of justice and fair opportunity, delay so caused is required to be condoned. At the same time, the applicant shall not be entitled for the amount of interest for the delayed period. Hence, the following order is passed :-

ORDER

- (i) The application is allowed.
- (ii) The applicant/original claimant shall furnish undertaking that they would not claim for the amount of interest for the delayed period.
- (iii) Registry is directed to register the Appeal.
- (iv) In First Appeal, issue notice to the respondents, returnable within eight weeks. Learned AGP waives service of notice on behalf of respondent Nos.1 and 2. Learned Advocate Mr. Nishant P. Pandit h/f. Mr. Vinod Patil waives service of notice on behalf of respondent no.3.

(ABHAY S. WAGHWASE, J.)