

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

**CIVIL APPLICATION NO. 15819 OF 2022
IN
FIRST APPEAL STAMP NO. 26074 OF 2022**

Somnath S/o Kachru Gote .. Applicant

Versus

The State of Maharashtra, through
The Collector, Aurangabad and others .. Respondents

Shri S. A. Nimbalkar, Advocate h/f Shri Punit S. Mehta,
Advocate for the Applicant.

Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.
None for the Respondent No. 3 though served.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 01ST DECEMBER, 2025.**

ORDER :

. Heard learned counsel for the applicant.

2. The applicant seeks condonation of delay of 1407 days caused in preferring appeal. For the reasons stated in the application, it is desirable to condone the delay.

3. The application is contested by the learned A. G. P. for the respondent Nos. 1 and 2. None appears for the respondent No. 3 – acquiring body.

4. The averments of the application have not been

controverted by the respondents. There is no reason to infer *mala-fides* on the part of the applicant in preferring the appeal belatedly. It is desirable to condone the delay.

5. The civil application is allowed. The delay stands condoned on condition that the applicant is not entitled to receive interest and statutory benefits for the delayed period. I find no cognizable lapses on the part of the applicant. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Dec. 25