



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

**953 CIVIL APPLICATION NO. 12901 OF 2024  
IN FAST/24254/2024**

JANU (BABU) S/O UMALA RATHOD (DIED) THR. LRS RAMRAO S/O  
JANU RATHOD

**VERSUS**

THE STATE OF MAH THROUGH COLLECTOR JALNA AND ORS

AND

**954 CIVIL APPLICATION NO. 12907 OF 2024  
IN FAST/24271/2024**

GULAB REVA RATHOD

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**955 CIVIL APPLICATION NO. 12908 OF 2024  
IN FAST/24298/2024**

PRAYAGBAI BHIMRAO RATHOD

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**956 CIVIL APPLICATION NO. 12909 OF 2024  
IN FAST/24274/2024**

DNYANOBA TUKARAM ZHOL

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**957 CIVIL APPLICATION NO. 12910 OF 2024  
IN FAST/24294/2024**

RUPCHAND SAKHARAM CHAVHAN (AS PER 7/12 EXTRACT)  
GORAKHNATG RUPCHAND CHAVHAN

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**958 CIVIL APPLICATION NO. 12911 OF 2024  
IN FAST/24296/2024**

SUDAM UMLA RATHOD

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**959 CIVIL APPLICATION NO. 12918 OF 2024**

**IN FAST/24256/2024**

PANKABAI W/O SUKHLAL RATHOD

**VERSUS**

THE STATE OF MAH THROUGH COLLECTOR JALNA AND ORS

AND

**960 CIVIL APPLICATION NO. 12954 OF 2024**

**IN FAST/24267/2024**

BHIMRAO JANU RATHOD

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**961 CIVIL APPLICATION NO. 13223 OF 2024**

**IN FAST/24207/2024**

MUKTIRAM REVA RATHOD

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**962 CIVIL APPLICATION NO. 13224 OF 2024**

**IN FAST/25225/2024**

BALCHAND DHAVAJI RATHOD

**VERSUS**

THE STATE OF MAH THROUGH COLLECTOR JALNA AND ORS

AND

**963 CIVIL APPLICATION NO. 13267 OF 2024**

**IN FAST/25323/2024**

SUKHDEV LAXMAN RATHOD

**VERSUS**

THE STATE OF MAH THROUGH COLLECTOR JALNA AND ORS

AND

**964 CIVIL APPLICATION NO. 13304 OF 2024**

**IN FAST/25320/2024**

BABA SAKHARAM CHAVHAN (DIED) THR. LRS. NILABAI W/O BABA  
CHAVAN AND ORS

**VERSUS**

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**966 CIVIL APPLICATION NO. 13945 OF 2024  
IN FAST/29438/2024**

NANU KHEMA CHAVAN

VERSUS

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

AND

**967 CIVIL APPLICATION NO. 13979 OF 2024  
IN FAST/25331/2024**

SANJAY SUKHLAL RATHOD

VERSUS

THE STATE OF MAH THROUGH COLLECTOR JALNA AND ORS

AND

**968 CIVIL APPLICATION NO. 14061 OF 2024  
IN FAST/29368/2024**

DEVICHAND REWA RATHOD (DIED) THR. LRS SAHEBRAO DEVICHAND  
RATHOD

VERSUS

THE STATE OF MAH THROUGH THE COLLECTOR JALNA AND ORS.

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Adv. for Applicants in all : Mr. S. M. Kakde (Through V. C.).

AGP for Respondent/s-State in all : Mr. B. A. Shinde.

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**CORAM : SHAILESH P BRAHME, J.**

**DATE : 01.07.2025**

**PER COURT :-**

1. Heard Mr. Kakde for the applicants and learned AGP for the respondents/State.
2. Applicants are seeking condonation of delay in preferring first appeals.
3. Learned counsel for the applicants tenders on record relevant information in tabular form indicating length of delay and length of lapses in each matter. Following is the said table :

| Sr. No. | Particulars                                                         | C.A. No.      | No. of Days delay | Date of filing | Date of 1 <sup>st</sup> order date |
|---------|---------------------------------------------------------------------|---------------|-------------------|----------------|------------------------------------|
| 953     | Janu (babu) s/o Umala Rathod Vs. The State of Maharashtra           | CA/12901/2024 | 1884              | 31.08.2024     | 08.04.2025                         |
| 954     | Gulab Reva Rathod Vs. The State of Maharashtra                      | CA/12907/2024 | 1883              | 31.08.2024     | 08.04.2025                         |
| 955     | Prayagbai Bhimrao Rathod Vs. The State of Maharashtra               | CA/12908/2024 | 1942              | 31.08.2024     | 08.04.2025                         |
| 956     | Dnyanoba Tukaram Zhol Vs. The State of Maharashtra                  | CA/12909/2024 | 1879              | 31.08.2024     | 08.04.2025                         |
| 957     | Rupchand Sakharam Chavhan Vs. The State of Maharashtra              | CA/12910/2024 | 1648              | 31.08.2024     | 08.04.2025                         |
| 958     | Sudam Umla Rathod Vs. The State of Maharashtra                      | CA/12911/2024 | 1694              | 31.08.2024     | 08.04.2025                         |
| 959     | Pankabai W/o Sukhlal Rathod Vs. The State of Maharashtra            | CA/12918/2024 | 1693              | 31.08.2024     | 08.04.2025                         |
| 960     | Bhimrao Janu Rathod Vs. The State of Maharashtra                    | CA/12954/2024 | 1799              | 31.08.2024     | 08.04.2025                         |
| 961     | Muktiram Reva Rathod Vs. The State of Maharashtra                   | CA/13223/2024 | 1882              | 30.08.2024     | 08.04.2025                         |
| 962     | Balchand Dhavaji Rathod Vs. The State of Maharashtra                | CA/13224/2024 | 1807              | 10.09.2024     | 08.04.2025                         |
| 963     | Sukhdev Laxman Rathod Vs. The State of Maharashtra                  | CA/13267/2024 | 1722              | 10.09.2024     | 08.04.2025                         |
| 964     | Baba Sakharam Chavhan (died) Thr. Lrs. Vs. The State of Maharashtra | CA/13304/2024 | 1738              | 10.09.2024     | 08.04.2025                         |
| 966     | Nanu Khema Chavan Vs. The State of Maharashtra                      | CA/13945/2024 | 1734              | 17.10.2024     | 08.04.2025                         |

|     |                                                                             |               |      |            |            |
|-----|-----------------------------------------------------------------------------|---------------|------|------------|------------|
| 967 | Sanjay Sukhlal Rathod Vs. The State of Maharashtra                          | CA/13979/2024 | 1811 | 10.09.2024 | 08.04.2025 |
| 968 | Devichand Rewa Rathod (died) Thr. Lrs Sahebrao Vs. The State of Maharashtra | CA/14061/2024 | 1849 | 16.10.2024 | 08.04.2025 |

4. Learned counsel for the applicants submits that delay caused in each appeal is not intentional. There are reasons for condonation of delay stated in civil applications. It is submitted that applicants are ready to forego interest and statutory benefit for the delayed period.

5. Learned AGP opposes the applications. It is submitted that even after filing appeals, no prompt steps are taken for circulating the matters. The lapses are attributable to the applicants.

6. I have considered the contents of the civil applications as well as submissions of both sides. The averments in the applications are not controverted. I do not find that there are any malafides on part of applicants in approaching High Court belatedly. They are agriculturists and they have lost their lands in acquisition. I deem it appropriate to condone the delay on certain conditions.

7. Civil applications are allowed in terms of prayer clause "A" by condoning the delay in every appeal as stated in the above table on condition that applicants shall not be entitled interest and the statutory benefits for the length of delay as well as 50% of the period for the lapses

from date of filing of the appeal till date of first order as enumerated in the above table.

**In First Appeals**

8. **Admit.**

9. Learned AGP waives service of notice for the respondents/State.

10. Call for Record and Proceedings from the concerned Court.

11. Lastly, it is clarified that appellants shall not be entitled to interest and the statutory benefits for the period of delay as well as for 50% of the period from date of filing of the appeals till date of first order as it is separately recorded in the order condoning the delay.

**(SHAILESH P. BRAHME, J.)**

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vmk/-