



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

**923 CIVIL APPLICATION NO. 1082 OF 2023
IN FAST/31360/2022**

HAMBARSINGH PRATAP GIRASE DIED THR LRS
RAJENDRA HAMBARSING GIRASE

VERSUS

THE COLLECTOR DHULE AND OTHERS

...

Advocate for Applicant : Mr. Ajeet B. Kale

AGP for Respondent Nos. 1 and 2 : Mrs. A. S. Mantri

Advocate for Respondent No.3 : Mr. Ajay D. Pawar

...

CORAM : ABHAY S. WAGHWASE, J.

DATED : 09 SEPTEMBER 2025

PER COURT :-

1. This is an application filed by the claimants for condonation of delay of 115 days caused in filing the First Appeal against the judgment and order dated 31.03.2022 passed by learned Jt. Civil Judge (S.D.), Dhule in LAR No. 111 of 2021.

2. Learned counsel for respondent no.3 opposed the application stating that delay is not properly explained. It is further submitted that, if at all this Court is inclined to condone the delay, the statutory benefits may not be granted for the period of delay.

3. For the reasons mentioned in the application and in the interest of justice, delay is required to be condoned. Accordingly, application is allowed. Delay stands condoned on the condition that the applicant shall not be entitled for the interest for the period of delay. The application is accordingly disposed off.

4. Appeal be registered. On registration of appeal, issue notice to the respondents. Learned AGP waives service of notice for respondent nos. 1 and 2. Learned counsel Mr. A. D. Pawar waives service of notice for respondent no.3.

5. At the request of learned counsel for the acquiring body, place the First Appeal for consideration on 30.09.2025.

[ABHAY S. WAGHWASE, J.]