



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

31 CIVIL APPLICATION NO. 4009 OF 2025

IN FAST/33150/2023

SAHEBRAO RANGNATH SURASE

VERSUS

**THE STATE OF MAHARASHTRA THROUGH COLLECTOR AURANGABAD
AND ORS**

...

**Advocate for Applicant : Mr. Shubham D. Jaybhar h/f Mr. Jayabhar
Dattatraya R.**

AGP for Respondent nos. 1 & 2 : Mrs. M.N. Ghanekar

Advocate for Respondent No. 3 : Mr. Suresh W. Munde

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32 CIVIL APPLICATION NO. 4010 OF 2025

IN FAST/33160/2023

JIJABAI WAMANRAO JADHAV

VERSUS

**THE STATE OF MAHARASHTRA THROUGH COLLECTOR AURANGABAD
AND ORS**

...

Advocate for Applicant : Mr. Jayabhar Dattatraya R.

AGP for Respondent nos. 1 & 2 : Mrs. M.N. Ghanekar

Advocate for Respondent No. 3 : Mr. Suresh W. Munde

...

CORAM : SHAILESH P. BRAHME, J.

DATE : 08.12.2025

PER COURT :

APPLICATIONS FOR CONDONATION OF DELAY

Issue notice to the respondents. Learned A.G.P. waives service for the respondent nos. 1 & 2/State. Learned counsel Mr. Mundhe waives service for the respondent no.3-Acquiring body.

2. The applicants are seeking condonation of 2648 days and 2650 days in preferring respective appeals. Both appeals were dismissed for non removal of office objections and those were restored by orders dated 07.03.2025.

3. The learned counsel for the applicants seeks condonation of delay for the reasons stated in the application. It is contended that there are no *mala fides* on the part of the applicants. There was no financial support to prefer the appeals within limitation.
4. The applications are contested by the Acquiring Body. It is submitted that the applicants are not entitled to interest and statutory benefits for the delayed period as well as lapses.
5. The averments in the applications have not been controverted by the respondents. I find no reason to infer any *mala fides* on the part of the applicants. It is desirable to condone the delay but I find lapses attributable to the applicants. After restoration of the first appeals vide order dated 07.03.2025, the applications are circulated for the first time today. The lapses from 07.03.2025 to up till today are attributable to the applicants.
6. The Civil Applications are allowed. The delay stands condoned subject to forfeiture of interest and statutory benefits for the delayed period as well as for the period of lapses from 07.03.2025 to till date.
7. The Civil Applications are disposed of.

FIRST APPEAL (STAMP) :

8. **Admit.** Learned A.G.P. waives service for respondent nos. 1 and 2. Learned counsel Mr. Mundhe waives service for the respondent No. 3.
9. Call for record and proceedings.
10. Print is dispensed with.
11. The appellants shall not be entitled to claim interest and the statutory benefits for the delayed period as well as for the period of lapses.

(SHAILESH P. BRAHME, J.)

mkd/-