



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

**CIVIL APPLICATION NO. 1614 OF 2025  
IN  
FIRST APPEAL STAMP NO. 35398 OF 2024**

Shantabai Prakash Bavaskar .. Applicant

**Versus**

The State of Maharashtra and another .. Respondents

Shri Vinayak Dahinde, Advocate h/f Shri Ajeet B. Kale, Advocate  
for the Applicant.

Shri D. B. Bhange, A.G.P. for the Respondent No. 1.

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 12TH JUNE, 2025.**

**FINAL ORDER :**

. Heard learned counsel Mr. Dahihande for the applicant and learned Assistant Government Pleader for the respondent No. 1. None appears for the respondent No. 2, though served.

2. Applicant is seeking condonation of delay of 5762 days caused in preferring first appeal for enhancement. Learned counsel for the applicant would rely on the grounds stated in para Nos. 2 to 4 of the civil application for condonation of delay.

3. Learned A. G. P. would oppose the submissions by relying on affidavit in reply. It is contended that delay is inordinate and no satisfactory explanation is given to condone the same.

4. I have gone through the reasons given by the applicant for condonation of delay. The respondent No. 2, who is acquiring body has not caused appearance. I have also gone through the reply filed by the respondent No. 1. I am of the considered view that the grounds mentioned in the application for condonation of delay cannot be discarded. I do not find any malafides on the part of the applicant in preferring appeal belatedly. I prefer to take pragmatic approach by condoning the delay by imposing certain conditions.

5. For the reasons stated in the application, the civil application is allowed in terms of prayer clause 'B'. The delay is condoned on condition that the applicant shall not be entitled to interest and the statutory benefits for the delayed period of 5762 days. Additionally the applicant shall pay cost of Rs. 3,000/- (Rs. Three thousands only) to be deposited with the Advocate's Bar Association, High Court of Bombay, Bench at Aurangabad within a period of two (02) weeks from today. Office shall register the first appeal. The civil application is disposed of.

**[ SHAILESH P. BRAHME J. ]**

*bsb/June 25*