



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

18 CIVIL APPLICATION NO. 1181 OF 2025
IN FAST/35476/2024
WITH
CIVIL APPLICATION NO. 1182 OF 2025
IN FAST/35446/2024

GOVIND NIVRATI GAJILE (DIED)
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE COLLECTOR LATUR AND
ORS.

...
Advocate for Applicant : Mr. Sontakke Gajanan K.
AGP for Respondent nos. 1 & 2 : Mr. S.V. Hange

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

DATE : 26.11.2025

PER COURT :

Heard.

2. In both appeals delay of 4523 days has been caused for preferring the appeals. The Acquiring Body has not traversed the contents of the applications. There is no reason to infer any *mala fides* on the part of the applicants.

3. The learned A.G.P opposes the application on the ground that the delay is inordinate and forfeiting the interest and statutory benefits would not serve the purpose.

4. The applicants have lost their lands, therefore, it would not be appropriate to reject the appeals on the ground of limitation. It is desirable to condone the delay on certain conditions. I, therefore, pass following order:

ORDER

(I) The Civil Applications are partly allowed thereby condoning the delay on condition that the applicants shall not be entitled to claim interest and statutory benefits for the delayed period and further condition that they shall deposit costs of Rs. 5000/- (Rs. Five Thousand only) in each appeal within period of four weeks. The applicants shall deposit the costs in this Court or directly pay it to the respondent-Acquiring body.

FIRST APPEALS (STAMP) :

Admit. Learned A.G.P waives service for respondent nos. 1 and 2.

2. Call for record and proceedings.
3. Print is dispensed with.
4. The appellants shall not be entitled to claim interest and the statutory benefits for the delayed period.

(SHAILESH P. BRAHME, J.)

mkd/-