



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

**CIVIL APPLICATION NO. 11696 OF 2024  
IN  
FIRST APPEAL STAMP NO. 24363 OF 2024**

Devrao Dattu Wagalgave .. Applicant

**Versus**

The State of Maharashtra and others .. Respondents

Shri H. B. Nandagavale, Advocate for the Applicant.  
Shri D. B. Bhange, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : SHAILESH P. BRAHME, J.  
DATE : 24TH JUNE, 2025.**

**FINAL ORDER :**

. Applicant is seeking condonation of delay of 2687 days caused in preferring appeal for enhancement of compensation. It is contended that for the reasons stated in para Nos. 2 to 6 of the application, it is desirable to condone the delay. Learned counsel would submit that there is no oblique motive in preferring the appeal and application for condonation of delay belatedly.

2. Learned Assistant Government Pleader would contest the application by referring to affidavit in reply. He would submit that there are no sufficient grounds to condone the delay, which is inordinate.

3. Having considered rival submissions of the parties, I find

that the contesting party has not caused appearance and opposed the application for delay condonation. Explanation tendered by the applicant cannot be discarded because those are not seriously controverted. I propose to adopt pragmatic approach in condoning the delay by imposing certain conditions. I cannot overlook the fact that first appeal along with application for condonation of delay was filed on 29<sup>th</sup> August, 2024. The application for condonation of delay was circulated and first order was solicited on 28<sup>th</sup> February, 2025. The applicant would not be entitled to interest and statutory benefit for the delayed period and 30% of the benefits for the period from 29.08.2024 to 28.02.2025.

4. For the reasons recorded above, the civil application is allowed in terms of prayer clause 'B' on condition that the applicant would not be entitled to interest and statutory benefit for the delayed period as well as for 30% of the benefits from 29.08.2024 to 28.02.2025. Office shall register the first appeal. The civil application is disposed of.

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

*bsb/June 25*