



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

**CIVIL APPLICATION NO. 1807 OF 2025
IN
FIRST APPEAL STAMP NO. 4837 OF 2025**

Ushabai Dattatraya Jadhav .. Applicant

Versus

The State of Maharashtra and others .. Respondents

Shri Nilkanth P. Bangar, Advocate for the Applicant.
Shri B. A. Shinde, A.G.P. for the Respondent No. 1.

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

FINAL ORDER :

. Heard Mr. Bangar, learned counsel for the applicant and the learned A. G. P. for the respondent No. 1. None appears for the respondent No. 2, though served.

2. Present application is for condonation of delay of 5617 days caused in preferring first appeal for enhancement of the compensation. Learned counsel would submit that in identical matters the delay was condoned vide order dated 02nd August, 2023, which is annexed with the application at Exhibit – B. He is praying for parity in condoning the delay. It is further contended that for the reasons stated in para Nos. 3 to 7 of the application, it is desirable to condone the delay.

3. Learned A. G. P. for the respondent No. 1 would oppose the application and submissions. He would submit that the delay is inordinate and applicant is very casual in making application for condonation of delay.

4. I have considered rival submissions of the parties. Pertinently, the respondent No. 2/acquiring body has not caused appearance in the matter. The respondent No. 2/acquiring body appears to be very casual in the matter involving huge delay. Averments of the application have not been controverted. There is nothing on record to doubt the reasons stated in the application. In the similarly situated circumstances coordinate Bench condoned the delay vide order dated 02nd August, 2023. I have no reason to take any different view.

5. For the reasons recorded above, the civil application is allowed in terms for prayer clause 'B' on condition that applicant shall not be entitled to interest and statutory benefits for the delayed period. Office is directed to register the first appeal. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/June 25