



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAF) NO. 3339 OF 2024
IN
FIRST APPEAL STAMP NO. 24828 OF 2023

Gajanan S/o Motiram Dighade

Vs.

The State of Maharashtra, through the Collector, Wardha and others

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri P.A. Dharaskar, Advocate for the appellant
 Shri Ishan Khisti, Advocate h/f Ms Ira Khisti, Advocate for respondent No. 3
 Ms H.S. Dhande, AGP for the respondent/State

CORAM : SHRI ABHAY J. MANTRI, J.
DATED : 16.07.2025

Applicant/appellant has filed this application
 to condone the delay of 615 days in filing the appeal.

2. Learned Counsel for the respondent No. 3 has objected to the same. However, later on, it was submitted that, subject to waiving the interest for the delayed period, the same can be condoned. Likewise, the learned Assistant Government Pleader has adopted his submissions.

3. In response, learned Counsel for the appellant/applicant, on instructions, submitted that the applicant is ready to waive the interest for the delayed period.

4. Having considered the above submissions and reasons disclosed in the application, the application is allowed, subject to waiving the interest for the delayed period, i.e. from the date of the order of the Reference Court and registration of the appeal.

5. The delay of 615 days in filing the appeal is condoned.

6. Appeal be registered accordingly.

7. It is made clear that the interest for the period from the date of the order of the Reference Court, as well as the Registration of the appeal, is waived by the applicant.

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Heard.

2. Issue notice to the respondents, returnable after four weeks.

3. Learned Assistant Government Pleader waives notice on behalf of respondent Nos. 1 and 2.

4. Learned Counsel Ms. Khishti waives notice for respondent No.3.

5. Call for record and proceedings.

6. Appellant undertakes to file the private paper book within four weeks.

JUDGE