



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

939 CIVIL APPLICATION NO. 822 OF 2026
IN X-OBJST/6485/2023

PRALHAD DULA KHADKE (DECEASED) SHANTABAI PRALHAD KHADKE
DECEASED THR LRS NALINI AND OTHERS

VERSUS

THE DISTRICT COLLECTOR, JALGAON AND ORS

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Mr. S. A. Mulla h/f Mrs. Usha Vijay Yadav, Advocate for Applicants

Mr. S. G. Sangle, Addl. G.P. for Respondent/State

Mr. G. S. Khaire h/f Mr. S. S. Dande, Advocate Respondent No.2

CORAM : SANJAY A. DESHMUKH, J.

DATED : 22nd APRIL, 2026

P C. :-

1. The present Civil Application is filed for condonation of delay of 2944 days caused in filing the X-objection.
2. Learned Advocate for the applicants submitted that the delay is not deliberate, but occurred due to the applicants' inability to arrange the necessary expenses for filing the appeal. He, therefore, prayed that the application be allowed.
3. Learned Advocate for the respondents strongly opposed the said application, submitting that the reasons stated therein are not sufficient to satisfactorily explain the delay, as contemplated under Section 5 of the

Limitation Act.

4. Upon perusal of the application, it appears that the delay is not deliberate. On the contrary, the applicants were facing financial crises and were unable to manage the expenses required for filing the appeal. Therefore, the application deserves to be allowed. Hence, the application is allowed. The delay in filing the appeal is condoned in the interest of justice. It is clarified that for the period of delay, the applicants shall not be entitled to interest.

5. In X-OBJ (ST) No.6485 of 2023, issue notice to the Respondents, returnable on 18th June, 2026. Mr. Khaire h/f Mr. Dande, learned Advocate waives service of notice for Respondent No.2. Learned Addl.G.P. waives service of notice for respondent/State.

(SANJAY A. DESHMUKH, J.)

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