



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 206 OF 2026

IN

FIRST APPEAL NO. 129 OF 2018

Machindra Bhima Narwade And Others

...Applicants

Versus

The State of Maharashtra and Others

...Respondents

WITH

CIVIL APPLICATION NO. 5401 OF 2021

IN

FIRST APPEAL NO. 129 OF 2018

Mr. Patil Laxmikant C., Advocate for the Applicants.

Mr. V. K. Kotecha, AGP for Respondent – State.

CORAM : RAJNISH R. VYAS, J.

DATE : JANUARY 23, 2026

PER COURT :

1. This is an application for condoning the delay of 1575 days in filing an application for bringing the legal heirs on record.

2. The learned counsel for the applicants stated that the applicants are agriculturist and are illiterate, and therefore, were not aware about the pendency of the proceedings, therefore, the delay is caused. He further submits that the delay is not intentional but is *bona fide*. He further submits that the main appeal is preferred by the acquiring body challenging the award passed by the Reference Court.

He submits that if the delay is not condoned grave prejudice would be caused.

3. It is pertinent to mention here that the averments made by the applicant which are on the basis of affidavit are not countered by the acquiring body by filing the necessary reply.

4. Today also none appeared for the acquiring body.

5. In that view of the matter, the application is allowed in terms of prayer clauses (a), (b) and (c). The delay is condoned. Legal heirs be brought on record.

(RAJNISH R. VYAS, J.)