



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

**CIVIL APPLICATION NO. 10357 OF 2025
IN
FIRST APPEAL STAMP NO. 22962 OF 2025**

Baliram Bhairu Kasphate
Since deceased through his L.Rs.
Venkat Baliram Kasphate and others .. Applicants

Versus

The State of Maharashtra, through the
Collector Osmanabad and others .. Respondents

Shri Vivekanand V. Ingale, Advocate for the Applicants.
Shri S. V. Hange, A.G.P. for the Respondent Nos. 1 and 2.

**CORAM : SHAILESH P. BRAHME, J.
DATE : 08TH JANUARY, 2026.**

FINAL ORDER :

. Heard both sides.

2. Applicants seek condonation of delay of 4544 days caused in filing first appeal. Learned counsel for the applicants on instructions submits that his clients are ready to give up the interest and statutory benefits for the delayed period. It is further pointed out that the issue involved in the present appeal is no more *res-integra* and a compilation is tendered on record.

3. Application is contested by the learned Assistant Government Pleader for the respondents. It is submitted that

the delay is inordinate and there is no adequate explanation.

4. The averments of the application have not been traversed. There is nothing on record to infer any malafides on the part of the applicants in filing the appeal belatedly. This Court has condoned identical length of delay in other matters arising out of the same acquisition proceedings.

5. For the reasons stated in the application, the delay stands condoned on condition that the applicants shall not be entitled to interest and statutory benefits for the delayed period. Office shall register the first appeal. The civil application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/Jan. 26