



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

**918 CIVIL APPLICATION NO. 13580 OF 2025
IN RC/137/2016**

Kailas Sadashiv Patil Since Deceased Through Propoed Lrs. Rinkal
And Ors.

VERSUS

The State Of Maharashtra And Ors.

...

Ms. Nima R. Suryawanshi, Advocate for Applicant

Mr. S. B. Jadhav, AGP for Respondents/State

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 06.01.2026

PER COURT :-

1. Heard.
2. Issue notice to the respondents. Learned AGP waives service of notice for respondents/State.
3. This is an application for condonation of 3621 days delay caused in filing the present Civil Application for restoration of Civil Application No.12741 of 2013 and First Appeal Stamp No.25161 of 2013 to its original stage.
4. Learned Advocate for the applicant submits that by order dated 20/11/2015, this Court dismissed the said application and First Appeal in default. He further submits that he was

completely unaware of this matter being separated from the group and listed independently. Learned advocate further submits that the applicant's proposed legal representatives and other litigants from Fagne village contacted him and after this, he noticed that this matter is separated from the group and the same is dismissed in default. He further submits that the delay caused in filing the present application is not deliberate and prays to allow the application.

5. Learned AGP for the respondents / State strongly opposed the application. He submitted that no sufficient reasons are given in the application to condone the delay and lastly prays to reject the application.

6. Perused the application. Considering the reasons stated therein, it appears that the delay is not deliberately caused. Hence, the application deserves to be allowed in the interest of justice. Hence, the following order:

::ORDER::

- a. The application is allowed.
- b. The delay of 3621 days caused in filing the Civil Application for restoration of Civil Application No.12741 of 2013 and First Appeal Stamp No.25161 of 2013 to its original stage is condoned.

- c. Civil Application No.12741 of 2013 and First Appeal Stamp No.25161 of 2013 are restored to their original position.
- d. The Civil Application is disposed of.

[SANJAY A. DESHMUKH, J.]

HRJadhav