



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

**CIVIL APPLICATION (CAF) NO.407 OF 2026**  
**IN**  
**FIRST APPEAL (STAMP) NO.3944 OF 2025**

SHRI. KISAN BHAGUSA SAWALE (DEAD) THR. LRS. KAMAL WD/O KISAN  
SAWALE AND OTHERS

**VERSUS**

STATE OF MAHARASHTRA, THR. COLLECTOR, YAVATMAL AND OTHERS

|                                                                                                                              |                                  |
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| <i>Office Notes, Office Memoranda of<br/>Coram, Appearances, Court's<br/>orders or directions and Registrar's<br/>orders</i> | <i>Court's or Judge's orders</i> |
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Mr. I.M. Ghongade, Advocate for Applicants.  
Mr. S.C. Joshi, AGP for Respondent Nos.1 & 2-State.  
Mr. Tariq Zaheer, Advocate for Respondent No.3.

**CORAM : PRAFULLA S. KHUBALKAR, J.**

**DATED : 28<sup>th</sup> JANUARY 2026**

1. Heard learned Advocate for the applicants.
2. This is an application filed by the original claimants, seeking condonation of delay of 3453 days in filing statutory appeal.
3. Learned Advocate for the applicants, on instructions, states that the applicants are ready to waive the statutory benefits and interest for the period of delay. It is also submitted that the controversy involved in the appeal is covered by the judgments delivered by this Court in other identical matters.
4. Although the application is opposed by the learned AGP, having regard to the contents of the application and submissions advanced, the application is allowed and the delay of 3453 days in filing statutory appeal is condoned, subject to the applicants/appellants waiving the statutory benefits and interest for the period of delay.

5. In view of the above, the civil application is accordingly disposed of.

6. A copy of this order be annexed with the order sheet of the first appeal, to be registered after condonation of delay.

**FIRST APPEAL (STAMP) NO.3944 OF 2025**

7. List the appeal on 27<sup>th</sup> February 2026.

**(PRAFULLA S. KHUBALKAR, J.)**

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