IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.10360 OF 2005
IN
CROSS OBJECTION STAMP NO.2521 OF 2015
IN
FIRST APPEAL NO.631 OF 2001

THE STATE OF MAHARASHTRA
VERSUS
NARSING S/O SANTRAM DHANEGAVE
...

Mr. R.B. BAGUL, AGP for Applicant / State
Mr.A.D.Somani, Advocate h/f Mr. V.G.Sakolkar, Advocate for respondent
...

CORAM : P.R. BORA, J.
Dated : April 04, 2016

PER COURT :-

1) This is an application filed by the State seeking condonation of delay, which has occurred in filing the cross appeal. The delay caused is of 552 days. Learned AGP submitted that, in complying with the procedural formalities, and in obtaining the necessary permissions from the respective departments, the time has been consumed. Learned AGP therefore prayed for condoning the delay, which has occasioned in filing the cross appeal..

2) The learned Counsel appearing for the claimants has opposed for condoning the delay. According to him, the reasons stated in the application are insufficient for condoning the delay.

3) After having considered the submissions made on behalf of the learned Counsel appearing for the parties, it appears to me that, when the present appeal is still pending for the hearing along with the connected first appeal No. 633/2001, no prejudice is likely to be caused, if the delay occasioned in filing the cross appeal by the State is condoned. I am, therefore, inclined to allow the present application. Hence, the following order:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ORDER

a) The delay caused in filing the cross appeal is condoned.

b) Cross Appeal be taken on record. Issue notice of the Cross appeal to the original claimants. Learned Counsel Shri V.D.Somani, h/f Mr.V.G.Sakolkar, waives notice.

4) Civil Application stands disposed of.

(P.R. BORA, J.)

SPR