

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

CIVIL APPLICATION NO.2735 OF 2016
IN
FIRST APPEAL ST.NO.5228 OF 2016

Waman S/o Dhondiba Kolekar

..Applicant

Versus

The State of Maharashtra and anr

..Respondents

Mr S.N. Patne, Advocate h/f Mr S.B. Chaudhari, Advocate for applicant
Mr S.P. Deshmukh, A.G.P. for respondent No.1

CORAM : P.R. BORA, J.

DATE : 26th September 2016

PER COURT

1. Delay of 821 days has occurred in filing the present appeal by the original applicant. It is contention of the applicant that because of the financial difficulties and the limited sources available with the appellant, he could not approach his Counsel and also could not collect the necessary amount for payment of Court fees and for the aforesaid reasons could not file the appeal within the stipulated period of limitation.

2. It is further contended by the learned Counsel appearing for the applicant that on merit, the appellant has very good case and as such, opportunity needs to be given to the applicant for contesting the matter on merit.

3. Mr Deshmukh, learned A.G.P. has opposed for condoning the delay stating that no just and sufficient reasons are assigned for condonation of delay.

4. On perusal of the application, I find that the delay has been sufficiently explained. For the reasons stated in the application, which are just and sufficient, the delay of 821 occurred in filing the present appeal is condoned. The appeal be registered in accordance with law.

5. Civil Application stands disposed of.

(P.R. BORA, J.)

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