

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

930 FIRST APPEAL NO.3728 OF 2016
WITH CA/2128/2013 IN FA/3728/2016 WITH
FAST/30413/2012 WITH CA/2132/2013 IN
FAST/30413/2012 WITH FAST/30613/2012 WITH
CA/2082/2013 IN FAST/30613/2012 WITH
FAST/30617/2012 WITH FAST/33138/2012 WITH
FAST/33171/2012 WITH CA/2035/2013 IN
FAST/33171/2012

THE STATE OF MAHARASHTRA
VERSUS
MURLIDHAR NANABHAU NANGARE AND ORS

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Advocate for Appellant : Mr. SN Morampalle, AGP

CORAM : P.R.BORA, J.

DATE : 20th December, 2016.

PER COURT :

1) Heard learned AGP for Appellant/State.
In the present matters, this court
(Coram:Mrs.Mridula Bhatkar,J.), vide order passed
on 19th September, 2013, had condoned the delay of
1738 days, which had occurred in filing the
present appeals subject to deposit of costs of
Rs.500/- by the applicant/appellant.

2) The record shows that despite seeking
repeated adjournments and extension of time to
deposit the aforesaid meager amount of Rs.500/-
in each of the appeals, the State has failed to

deposit the amount of costs.

3) Firstly, time to deposit the amount of costs was extended vide order passed by this Court (Coram:T.V.Nalawade,J.) on 25th June, 2014 and the time was extended till 11th July, 2014. The amount was not deposited before the said date and again time was sought and the same was granted by way of last chance. The State did not deposit the costs even thereafter.

4) The record further shows that thereafter on 18th July, 2014; 2nd December, 2014; 27th January, 2015 and 17th June, 2016, extensions were sought and the same were granted. It seems that sufficient latitude has already been shown to the State. In view of the fact that in spite of availing so much of opportunities, till date, the amount of costs has not been deposited by the State, the order passed by this Court, condoning the delay, has automatically become inoperative on account of failure to deposit the costs and the delay shall be deemed to have not condoned. Consequently, the first appeals stand dismissed. Pending Civil Application, if any, stands disposed of.

(P.R.BORA)
JUDGE

bdv/