

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.3506 OF 2006
IN
FIRST APPEAL STAMP NO.4056 OF 1994**

**The State of Maharashtra : Applicant.
Versus
Bhika Rangu Kasbe (died his LRs)
Shridhar Bhika Kasbe
since deceased through LRs
Kailas Shridhar Kasbe and ors. : Respondents.**

**Mr. A R Patil AGP for the Applicant.
Ms. Divya Parab i/by Mr. R N Gite for the Respondent Nos.1A, 1D, 2, 3 4,
and 5.**

**CORAM : R. M. SAVANT, J.
DATE : 14th June 2016**

P.C.

1 The above Civil Application has been filed seeking condonation of delay of 334 days in filing the above Appeal. The reasons therefor are mentioned in paragraphs 2, 3 and 4 of the Civil Application. The sum and substance of the reasons is that on account of the procedure that was required to be followed to obtain the permission to file the above First Appeal that the delay has occurred.

2 The learned counsel appearing for the Respondents/Claimants Ms. Divya Parab opposes the above Civil Application, but ultimately leaves it to the Court.

3 Considering the fact that in so far as the State is concerned, some time is lost in the process of arriving at a decision whether to file the Appeal or not. The reasons mentioned in paragraphs 2, 3 and 4 of the above Civil Application can be said to be the plausible reasons for the delay of 334 days occurring in filing the above First Appeal.

4 Hence accepting the said reasons, the above Civil Application is allowed. Resultantly the delay of 334 days in filing the above First Appeal stands condoned. List the above First Appeal for admission on 21/07/2016. The above Civil Application is accordingly disposed of.

[R.M.SAVANT, J]