

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD
981 CIVIL APPLICATION NO. 640 OF 2017
IN FAST/476/2017

GOVIND SHAMRAO BANSODE
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...
Advocate for Applicant : Mr. Sontakke Gajanan K And
P.G. Sontakke
AGP for Respondent No. 1 : Mr. A.M. PHule
Advocate for Respondent No. 2 : Mr. Ram Deshpande.

CORAM : K. L. WADANE, J.

DATE : 31st August, 2017

ORDER:

1. Heard Mr. Sontakke learned counsel appearing for the applicant and the learned A.G.P. Mr. Phule appearing for the respondent No. 1. None present for the respondent No. 2.

2. This is an application for condonation of delay. Perused the contents of the application. It appears that, the applicant was prevented from certain causes such as financial constrain. Therefore, he was unable to prefer the appeal within prescribed period of limitation.

3. Learned A.G.P. appearing for the respondent No. 1 has opposed the application, as the delay has not been explained satisfactorily.

4. In view of the submissions made by the respective counsels and in view of the observations of Supreme Court in the case of ***Ramanlal Deochand Shah v/s. State of Maharashtra, and another, reported in AIR 2013 SC 3452***, the application for condonation of delay is allowed. Delay caused in filing the appeal is hereby condoned. The applicant shall not be entitled for the amount of interest, other statutory benefits for the period, for which the delay is sought to be condoned.

5. In view of the above, the delay caused in filing the appeal is hereby condoned. Civil application is accordingly disposed of.

6. First Appeal be registered. After registration of Appeal, issue notice to the respondents. The learned A.G.P. appearing for the respondent No. 1 waives service of notice for the respondent No. 1.

7. Call record and proceedings.

(K. L. WADANE, J.)

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