

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

**CIVIL APPLICATION NO. 5565 OF 2017
IN FAST/8090/2017**

THE STATE OF MAHARASHTRA AND ORS
VERSUS

KONDIBA BANDU JADHAV

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A.G.P. for Applicants : Mr. S.S.Dande

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CORAM : K.L.WADANE, J.

DATED : 22nd September, 2017

O R D E R :

Heard learned A.G.P. for the
applicants/appellants. None present for respondent nos.
1 and 2 though served.

This is an application filed by the appellants
for condonation of delay of 1889 days in filing First
Appeal.

It is contended that the impugned judgment and
order was passed on 27.9.2016 by the Reference Court.
The concerned A.G.P. intimated to the office of
applicant about passing of the award and the learned
A.G.P. has given legal opinion to the Joint Secretary,
Law and Judiciary Department at Aurangabad and has
recommended to present appeal. Appeal proposal from
the concerned A.G.P. from the District Court was

scrutinized by the Law and Judiciary Department. Thereafter appeal proposal was forwarded to the office of the Government Pleader, High Court, Bench at Aurangabad. The Government Pleader has allotted the said proposal to the concerned A.G.P. on 14.3.2012. Thereafter appeal memo was drafted and after necessary consultation with the officer concerned this appeal was presented. According to learned A.G.P. the delay is caused due to procedural aspect and various steps to be taken by various Departments including A.G.P. for presenting appeal.

From the contents of the application, it appears that the delay caused in filing First Appeal is properly explained. It is accidental and not intentional. Hence, the delay is condoned.

Civil Application is disposed of.

In First Appeal, issue notice to the respondent, returnable on 4.12.2017.

(K.L.WADANE, J.)

dbm