

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

(1)

CA NO.4446 of 2012

**921 CIVIL APPLICATION NO. 4446 OF 2012
IN FAST/9288/2012
WITH
CA/4448/2012 IN FAST/9416/2012**

THE STATE OF MAHARASHTRA
VERSUS
BANSI MAHADEO WARNGULE AND ANR

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AGP for Applicant : Mr. R.B.Bagul
Mr.Aghav Avinash D., Adv., for respondent no.2.
Mr. A.S.Kakade, Adv., for respondent no.1.

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CORAM : P.R. BORA, J.
Dated: July 26, 2017

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PER COURT :-

1. Heard learned A.G.P. and the learned Counsel appearing for the respondents i.e. original claimants. Delay of 2097 days has occurred in filing the appeals by the State.

2. Learned A.G.P. submitted that in making procedural compliances time was consumed and that is the main reason that the appeals could not be filed within the period of limitation. Learned Counsel appearing for the respondent has strongly opposed for condonation of delay, stating that the reasons assigned are insufficient to condone such a huge delay. In the

agp/-

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alternative, learned Counsel submitted that even otherwise, there seems no merit in the appeals filed by the State, and in such circumstances, if the matter is to be heard immediately after condoning the delay, the claimants may not have any objection for condonation of delay. Learned A.G.P. submitted that he is ready with the matter and he will immediately argue the appeals on merits. In view of the above, the following order is passed:

ORDER

1. The delay caused in filing the appeals is condoned. The Appeals be registered in accordance with law. Civil Applications for condonation of delay stand disposed of.
2. Issue notice to the respondents in the appeals. Learned Counsel Shri Aghav and Shri Kakade, learned Counsel, waive service for respective respondents / original claimants.
3. List the matters for final disposal at admission stage immediately.

(P.R. BORA, J.)

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agp/-