

(1)

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

946 CIVIL APPLICATION NO. 13931 OF 2011
IN FAST/26326/2011

MANMATH NARAYAN SHETKAR AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ORS

Advocate for Applicants : Halkude S.s.
A.G.P. For Respondent No.2 : Mr. Y.G. Gujarathi

CORAM : **R.D. DHANUKA &
SUNIL K. KOTWAL, JJ.**
DATED : 28-09-2017.

PER COURT :-

Learned counsel appearing for the applicants states that all the respondents are served.

2. Mr. Y.G. Gujarathi, for respondent Nos. 1 and 2 waives the service.

3. Heard learned counsel for the applicant and learned A.G.P for respondent Nos. 1 and 2 and perused the averments made in the civil application. Applicant have made out a case for condonation of delay of 35 day's in filing First Appeal. Delay is sufficiently explained in the Civil Application.

(2)

4. Civil Application is accordingly made absolute in terms of prayer clause 'B'.

5. No order as to costs.

(SUNIL K. KOTWAL)

JUDGE

(R.D. DHANUKA)

JUDGE

YSK/