

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

920 CIVIL APPLICATION NO. 11961/2014 IN FAST/29809/2014

THE STATE OF MAHARASHTRA AND OTHERS
VERSUS
SURESH DATTATRAY PURANIK AND ANOTHER

...
AGP for applicants : Mr. S.R. Yadav.
Adv. for respondent :- Mr. R.C. Kulkarni
...

CORAM : K. K. SONAWANE, J.
Dated: December 21, 2017

PER COURT :-

1] Heard learned AGP for the applicant/State. When the matter is called out, none appears for the respondents/original claimants.

2] Perused the application. The applicant is seeking condonation of delay of 938 days caused in filing first appeal. According to learned AGP the delay is not deliberate and intentional but caused due to compliance of official procedure as well as for procuring budgetary allocation, court expenses etc.

3] In view of the subject matter and for the reasons mentioned in the application, there is no impediment to condone the delay. It would not cause injustice or prejudice to the respondent. In contrast, it would subserve the purpose for substantial justice. In case delay is not condoned, no one individual would be affected but the public funds would be at stake. Therefore, by adopting liberal and pragmatic approach, the application

deserves to be allowed. Hence, the application stands allowed in terms of prayer clause (B). Delay caused for filing appeal is hereby condoned. Registry to take requisite steps for further process.

4] On registration of appeal, issue notice to respondents returnable on 30.1.2018. Call for R.& P from the concerned Commissioner. After receipt of R.& P. and compliance of official process, list the matter for admission in due course.

grt/-

[K.K. SONAWANE, J]