

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

918 CIVIL APPLICATION NO. 450 OF 2014
IN FAST/32272/2013

SHIVAJI ASHROBA CHAVAL
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Kakade Deepak M.
AGP for Respondents No. 1 and 2: Mr. A.M. Phule.
Advocate for the respondent No. 3 : Mr. S P Sonpawale.

CORAM : K. L. WADANE, J.

DATE : 9th August, 2017

ORDER:

1. 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.

2. Learned counsels appearing for the respondents have opposed the application, as the delay has not been explained satisfactorily.

3. 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.

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

5. First Appeal be registered. After registration of Appeal, issue notice to the respondents. The learned counsels appearing for the respondents waives service of notice for the respondents.

6. Call record and proceedings.

(K.L.WADANE, J.)

mkd