

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

CIVIL APPLICATION NO. 5242 OF 2015 IN FA/754/2014

NIRMALA KUNDANLAL LUNAWAT AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicants : Mr. C. V. Korhalkar.
AGP for Respondent No.1 : Mr. S. S. Dande.
Advocate for Respondent No.2 : Mr. N. R. Bhavar.

...

CORAM : K.K. SONAWANE, J.

DATED : 24TH NOVEMBER, 2017.

Order :-

Heard learned counsel for applicants, learned AGP for respondent No.1 and learned counsel for respondent No.2. Perused the application.

2. Mr. Korhalkar, learned counsel for applicants has shown willingness to deposit the charges of Bhatta within two weeks. In view of reasons mentioned in the application, there is no impediment to allow the application in the interest of justice. Hence, civil application stands allowed in terms of prayer clause 'A' and 'B'. The order of dismissal passed by this Court dated 16-09-2014 is hereby set aside and quashed by condoning the delay caused in filing present civil application.

3. It has been submitted that respondent No.2 has already secured his presence in First Appeal No. 754 of 2014, there is no necessity to deposit the bhatta. The Registry to take note about the same and list the matter for further process after restoration.

4. The civil application stands disposed of in above terms.

**[K. K. SONAWANE]
JUDGE**

rrd.