

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2728 OF 2016
IN
FIRST APPEAL (STAMP) NO. 18302 OF 2008

The State of Maharashtra & Anr. .. Applicants
vs.
Subhash Sitaram Shitole & Ors. .. Respondents

Mr. Yogesh Dabke – AGP for Applicants.

CORAM : M. S. SONAK, J.
DATE: 14 FEBRUARY 2017

P.C :

- 1] Mr. Dabke – learned AGP states that the service is complete.
- 2] Certain reasons have been set out as to why appeal could not be instituted within the prescribed period of limitation. There is delay of 193 days. The delay is sufficiently explained. Though, the State could have been more diligent, this is not a case where the application for delay is required to be dismissed, rather delay can be condoned subject to payment of reasonable costs. Therefore civil application is allowed. Delay is condoned subject to payment of costs of Rs.5,000/- (Rupees Five Thousand). The costs to be deposited in this court within a period of four weeks from today. In case the costs are not deposited, this application shall be deemed to have been dismissed. In case the costs are deposited, the respondents are at liberty to withdraw the same unconditionally.
- 3] Civil application is disposed of accordingly.

(M. S. SONAK, J.)