

2 These are applications for condonation of delay and setting aside abatement of the appeal as well as for bringing legal heir of the deceased appellant Nathaji Tukaram Lohakare on record for prosecuting the appeal filed by him.

3 Heard the learned advocate appearing for legal heir of the deceased appellant Nathaji Lohakare. Perused copy of death certificate dated 13th July 2016 issued by Village Development Officer, Gram Panchayat, Khandali, showing that Nathaji Tukaram Lohakare died on 28th May 2014.

4 It is seen that the deceased Nathaji Lohakare died during pendency of the appeal filed by him. He is convicted of offence punishable under Section 7, 13(1)(d) read with 13(2) of the Prevention of Corruption Act. The applicant is stated to be legal heir of the deceased appellant Nathaji Lohakare. Right to prosecute the appeal continues in favour of applicant Saraswati Nathaji Lohakare, she being wife of the deceased appellant / convicted accused. Cogent reasons are given explaining the delay

caused in filing an application for setting aside abatement and bringing legal heir of the deceased appellant on record. Hence, the order :

- i) The applications are allowed.
- ii) Delay in filing an application for setting aside abatement and for bringing legal heir of the deceased appellant on record is condoned.
- iii) Abatement set aside.
- iv) Legal heir of the deceased appellant be brought on record within a period of 14 days from the date of passing this order.

(A. M. BADAR, J.)