

the Appellants are residing out of India and the Appellant No.1 was not in a position to visit India for the purpose of filing the Appeal. In the said process, the delay of 225 days has occurred in filing of the Appeal. The learned counsel appearing on behalf of the Respondents opposes the Application, but ultimately leaves it to this Court.

2. Hence accepting the reasons mentioned in the Affidavit in Support, case for exercise of discretion is made out. The Notice of Motion is accordingly allowed and made absolute in terms of prayer clause (a).
3. The Appellant to pay costs of Rs.10,000/- to be deposited with the Maharashtra Legal Aid Fund within four weeks from the date.
4. The Notice of Motion is accordingly disposed of.
5. List the Appeal for Admission after the ensuing Diwali Vacation on 08/11/2017.

(SARANG V. KOTWAL, J.)

(R. M. SAVANT, J.)