

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

21 CIVIL APPLICATION NO. 81 OF 2017
IN FAST/31090/2016 WITH CA/80/2017 IN FAST/31086/2016

VITHAL GOVIND MALVADE AND ANR
VERSUS
THE STATE OF MAHARASHTRA AND ANR

...

Advocate for Applicants :Mr. Rajendra S. Kasar
AGP for Respondents: Mr. B.V. Virdhe

CORAM : K.K. SONAWANE, J.
DATE : 18th JUNE , 2018.

PER COURT:

Heard learned counsel for the applicant and learned AGP for the respondent No.1. Despite service of notice, no one else turned up for respondent No.2.

Perused the application. For the reasons mentioned in the application, there is no impediment to condone the delay of 34 days caused in filing the first appeal. Accordingly, the application stands allowed in terms of prayer clause (A). Delay caused for filing the first appeal is hereby condoned. Registry to take requisite steps for further process.

On registration of appeal, issue notice to respondents. Learned counsel Mr. B.V. Virdhe, AGP waives service for respondent No.1. Call for R. & P. from the concerned Reference Court. After receipt of R. & P. list the matter for admission in due course.

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

grt/-