

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 6388 OF 2016 IN
FIRST APPEAL ST. NO. 32038 OF 2015

Madan Bapurao Late

Applicant

Versus

The State of Maharashtra
& others

Respondents

Mr. K.B. Jadhav, advocate for applicant.
Mr. S.P. Deshmukh, AGP for respondents 1 and 2.
Mrs. Ranjana Reddy, advocate for respondent no. 3.

CORAM : M.S. SONAK, J.
DATE : 14th FEBRUARY, 2018

PER COURT:

1. Mr. Jadhav, learned counsel for applicant submits that in First Appeal St. No. 22434/2016 and connected cases, for identical reasons, delay, which exceeds the delay in the present application, has been condoned by this Court by order dated 04.08.2017. He submits that therefore, for the very same reasons, the delay in institution of this appeal may also be condoned. Mr. Jadhav further submits that in the present civil application as well, applicant undertake not to claim any interest and statutory benefit for the period of delay in case, the appeal is allowed.

2. Mrs. Reddy, learned counsel for respondent no. 3 opposes condonation of delay by pointing out that there is no cause discernible.

3. Since, in connected matters, on the basis of similar explanation, delay has been condoned, the delay in institution of this appeal is also hereby condoned. It is further clarified that as undertaken by applicant, the applicant shall not be entitled to any interest or statutory benefits for the period of delay, in the event the appeal succeeds.

4. Application for condonation of delay is disposed of in aforesaid terms.

(M.S. SONAK, J.)

dyb