

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

33 CIVIL APPLICATION NO.4180 OF 2018
IN FA/116/1994

BALIRAM MARUTI ANUSE
VERSUS
THE STATE OF MAHARASHTRA.

...

Advocate for Applicant : Mr.Nirmal Ramchandra J.
AGP for Respondent Sole : Mr. S.P. Deshmukh

...

WITH

34 CIVIL APPLICATION NO.5610 OF 2018
IN FA/113/1994

BAPU BABU BALE AND ANOTHER.
VERSUS
THE STATE OF MAHARASHTRA .

...

Advocate for Applicants : Mr.Nirmal Ramchandra J. (consent
not obtained) & Mr. G. K. Thigle
AGP for Respondent Sole : Mr. A.M. Phule

...

WITH

35 CIVIL APPLICATION NO.5611 OF 2018
IN FA/105/1994

BHIMA SUNDARBHAN SURVASE
VERSUS
THE STATE OF MAHARASHTRA.

...

Advocate for Applicant : Mr.Nirmal Ramchandra J. (consent
not obtained) & Mr. G. K. Thigle
AGP for Respondent Sole : Mr. R.B. Bagul

...

WITH

36 CIVIL APPLICATION NO.5632 OF 2018

IN FA/115/1994

ANKUSH NABAJI KORADKAR AND ANR
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicants : Mr.Nirmal Ramchandra J. (consent
nt obtained) and Mr.G. K. Thigle
AGP for Respondent Sole : Mr. S.P. Deshmukh

...

WITH

37 CIVIL APPLICATION NO.6039 OF 2018
IN FA/110/1994 WITH CA/6040/2018 IN FA/110/1994

NABAJI YASHWANT KORADKAR (DIED) THR LRS ANKUSH AND ORS
VERSUS
THE STATE OF MAHARASHTRA.

...

Advocate for Applicants : MR.Nirmal Ramchandra J.
AGP for Respondent Sole : Mr. A.M. Phule

...

CORAM : SUNIL K.KOTWAL, J.
DATE : 15th APRIL, 2019

O R D E R :

Heard learned counsel for applicants and the
learned AGP for respondents.

2. The learned counsel for applicants has
pointed out that the then Advocate of the applicants
did not inform applicants, regarding dismissal of the
appeal. The applicants were informed that the appeals

are still pending before the High Court. After getting knowledge of dismissal of the appeals, applicants immediately moved these applications for condonation of delay, as well as for restoration of First Appeal No. 116 of 1994 and other appeals.

3. Learned AGP opposes these applications. In the alternate, the learned AGP submits that subject to waiver of statutory benefits, delay may be condoned.

4. Considering the negligence on the part of the then Advocates of applicants, I hold that sufficient cause is assigned for condonation of delay.

5. Delay in filing applications for restoration of appeals is condoned.

6. First Appeal No. 116 of 1994 and others

appeals are restored to its original stages.

7. Civil Applications are disposed of in terms of prayer clauses B and C.

[SUNIL K.KOTWAL, J.]

mahajansb/