

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

**CIVIL APPLICATION NO.5653 OF 2012
IN
FIRST APPEAL (ST) NO.10175 OF 2012**

**THE STATE OF MAHARASHTRA AND ANR
VERSUS
KHIRABAI PRISHNA RATHOD**

...
Mr. S.P. Deshmukh, AGP for Respondents/State.

...

CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 20th SEPTEMBER, 2019.

ORDER :

. Present application has been filed for getting the delay of 484 days condoned in filing first appeal.

2. The State intends to challenge the judgment and award passed by the learned reference Court. It appears that the present application was tagged with Civil Application No.5356 of 2012. In view of the fact that there was common judgment by the tribunal and the sole respondent in another matter had expired, the order was passed by this Court on 23.08.2019. But as regards this application is concerned, the respondent is served, but she failed to appear. Under such circumstance, whatever

reasons have been in the application by the State have gone unchallenged on record. Therefore, delay stands condoned.

3. Civil Application stands allowed and disposed of accordingly.
4. Registry to verify and register the first appeal and place it for further consideration on 06.01.2020.

(SMT. VIBHA KANKANWADI, J.)

SCM