

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

**CIVIL APPLICATION NO. 9676 OF 2019
IN
REVIEW APPLICATION STAMP NO. 21251 OF 2019**

**THE STATE OF MAHARASHTRA
VERSUS
NAGESH JAGDISHRAO DESHPANDE AND ANOTHER**

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AGP for Applicant : Mr. K. N. Lokhande
Advocate for Respondent No. 1 : Mr. V. D. Gunale
Advocate for Respondent No. 2 :
Mr. Yadkikar Amit A.

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**CORAM: S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE: 06th DECEMBER, 2019

PER COURT:

1. Heard the learned Assistant Government Pleader for the applicant and the learned counsel for the non applicant no. 1.

2. The learned counsel for the non applicant no. 1 opposes the application on the ground that no sufficient cause is stated. The applicant is avoiding to pay the amount of gratuity. As no

plausible explanation has been given, the application deserves to be rejected.

3. It is trite that application for condonation of delay has to be liberally construed. When the technical consideration and cause for substantial justice are pitted against each other the cause for substantial justice is to be subserved.

4. Considering the above and the grounds stated in the application, the civil application is allowed. Delay is condoned. The civil application is disposed of.

[AVINASH G. GHAROTE, J.] [S. V. GANGAPURWALA, J.]

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